

1-1 By: Klick (Senate Sponsor - Kolthorst) H.B. No. 3366
 1-2 (In the Senate - Received from the House May 10, 2021;
 1-3 May 12, 2021, read first time and referred to Committee on Health &
 1-4 Human Services; May 21, 2021, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;
 1-6 May 21, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 3366 By: Blanco

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to authorizing the electronic transmission of certain
 1-22 communications related to the prevention of communicable diseases.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter A, Chapter 81, Health and Safety
 1-25 Code, is amended by adding Section 81.016 to read as follows:

1-26 Sec. 81.016. E-MAIL DELIVERY. (a) Except as provided by
 1-27 Subsection (b), any documents required to be delivered in person or
 1-28 sent by registered or certified mail under this chapter may be sent
 1-29 by e-mail with a read receipt requested.

1-30 (b) To electronically issue a control measure order under
 1-31 this chapter, the department or a health authority, as applicable,
 1-32 must obtain the consent of the individual to whom the order is
 1-33 issued.

1-34 SECTION 2. Sections 81.083(c) and (l), Health and Safety
 1-35 Code, are amended to read as follows:

1-36 (c) An order under this section must be in writing and be
 1-37 delivered personally, ~~or~~ by registered or certified mail, or by
 1-38 e-mail with a read receipt requested to the individual or to the
 1-39 individual's parent, legal guardian, or managing conservator if the
 1-40 individual is a minor.

1-41 (l) An order under Subsection (k) must be in writing and be
 1-42 delivered personally, ~~or~~ by registered or certified mail, or by
 1-43 e-mail with a read receipt requested to each member of the group,
 1-44 or the member's parent, legal guardian, or managing conservator if
 1-45 the member is a minor. If the name, address, and county of
 1-46 residence of any member of the group is unknown at the time the
 1-47 order is issued, the department or health authority must publish
 1-48 notice in a newspaper of general circulation in the county that
 1-49 includes the area of the suspected exposure and any other county in
 1-50 which the department or health authority suspects a member of the
 1-51 group resides. The notice must contain the following information:

1-52 (1) that the department or health authority has
 1-53 reasonable cause to believe that a group of individuals is ill with,
 1-54 has been exposed to, or is the carrier of a communicable disease;

1-55 (2) the suspected time and place of exposure to the
 1-56 disease;

1-57 (3) a copy of any orders under Subsection (k);

1-58 (4) instructions to an individual to provide the
 1-59 individual's name, address, and county of residence to the
 1-60 department or health authority if the individual knows or

2-1 reasonably suspects that the individual was at the place of the
2-2 suspected exposure at the time of the suspected exposure;

2-3 (5) that the department or health authority may
2-4 request that an application for court orders under Subchapter G be
2-5 filed for the group, if applicable; and

2-6 (6) that a criminal penalty applies to an individual
2-7 who:

2-8 (A) is a member of the group; and

2-9 (B) knowingly refuses to perform or allow the
2-10 performance of the control measures in the order.

2-11 SECTION 3. Section 81.084(b), Health and Safety Code, is
2-12 amended to read as follows:

2-13 (b) The department or health authority shall send notice of
2-14 its action by registered or certified mail, ~~[or]~~ by personal
2-15 delivery, or by e-mail with a read receipt requested to the person
2-16 who owns or controls the property. If the property is land or a
2-17 structure or an animal or other property on the land, the department
2-18 or health authority shall also post the notice on the land and at a
2-19 place convenient to the public in the county courthouse. If the
2-20 property is infected or contaminated as a result of a public health
2-21 disaster, the department or health authority is not required to
2-22 provide notice under this subsection.

2-23 SECTION 4. Section 81.155(b), Health and Safety Code, is
2-24 amended to read as follows:

2-25 (b) A copy of the application and the written notice shall
2-26 be delivered in person, ~~[or]~~ sent by certified mail, or sent by
2-27 e-mail with a read receipt requested to:

2-28 (1) the person's parent, if the person is a minor;

2-29 (2) the person's appointed guardian, if the person is
2-30 the subject of a guardianship; or

2-31 (3) each managing and possessory conservator, that has
2-32 been appointed for the person.

2-33 SECTION 5. Subchapter G, Chapter 81, Health and Safety
2-34 Code, is amended by adding Section 81.213 to read as follows:

2-35 Sec. 81.213. ELECTRONIC OR FAXED SIGNATURE. For the
2-36 purposes of this subchapter, an electronic signature, as defined by
2-37 Section 166.002, or a faxed signature shall have the same force and
2-38 effect as the use of a manual signature.

2-39 SECTION 6. This Act takes effect September 1, 2021.

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