

By: Tinderholt

H.B. No. 3780

A BILL TO BE ENTITLED

1 AN ACT

2 relating to renewal of a state of disaster declared to address a
3 communicable disease.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 418.014, Government Code, is amended by
6 amending Subsections (b) and (c) and adding Subsection (c-1) to
7 read as follows:

8 (b) Except as provided by Subsection (c) or (c-1), the state
9 of disaster continues until the governor:

10 (1) finds that:

11 (A) the threat or danger has passed; or

12 (B) the disaster has been dealt with to the
13 extent that emergency conditions no longer exist; and

14 (2) terminates the state of disaster by executive
15 order.

16 (c) A state of disaster may not continue for more than 30
17 days unless the disaster declaration is renewed by the governor or
18 renewed under Subsection (c-1). The legislature by law may
19 terminate a state of disaster at any time. On termination by the
20 legislature, the governor shall issue an executive order ending the
21 state of disaster.

22 (c-1) A state of disaster declared by the governor to
23 address the spread of a communicable disease may only be renewed by
24 the legislature by law. If the governor finds that the state of

1 disaster described by this subsection requires renewal and the
2 legislature is not convened in regular or special session, the
3 governor by proclamation may convene the legislature in special
4 session to renew the disaster declaration and respond to the
5 disaster. In this subsection, "communicable disease" has the
6 meaning assigned by Section 81.003, Health and Safety Code.

7 SECTION 2. The changes in law made by this Act apply only to
8 a state of disaster declared or renewed on or after the effective
9 date of this Act.

10 SECTION 3. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2021.