

BILL ANALYSIS

C.S.H.B. 446
By: Smith, Wayne
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The mosquito-borne disease, West Nile Virus, arrived in Texas in 2002. This disease was first discovered in this hemisphere in New York City in 1999. Since then it has spread into forty-four states and the District of Columbia. To date, 4,161 persons have contracted the disease with 277 deaths being reported nationwide, including 202 cases and 12 deaths in Texas. Thirty-eight counties in Texas have discovered human cases of West Nile, and 204 have discovered cases where horses contracted the virus. During 2002, in Texas 1,697 horses, who are very susceptible to West Nile virus, were infected. West Nile virus has been found in 27 species of mammals, over 80 species of birds and 30 species of mosquitoes.

Of the 30 or more mosquito species that have been found infected with the disease, one species, *Culex Quinquefasciatus*, the "Southern House mosquito," is the most important to Harris County and Texas. The *Culex Quinquefasciatus* breeds primarily in water with high organic content either from plant decay or human and animal waste. Reducing the number of these breeding sites is the key to reducing the risk of West Nile Fever.

Chapter 341.011 (7), of the Texas Health and Safety Code defines one type of public health nuisance condition as "a collection of water in which mosquitoes are breeding in the limits of a municipality." In Harris County over 1.3 million people live outside city limits. C.S.H.B. 446 would extend the definition of public health nuisance to include possible breeding areas for disease carrying mosquitoes.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Section 341.011, Health and Safety Code is amended to include in the definition of public health nuisance a collection of water that is a breeding area for *Culex Quinquefasciatus* mosquitoes that can transmit diseases regardless of the collection's location.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003

COMPARISON OF ORIGINAL TO SUBSTITUTE

The Substitute specifies that the collection of water has to be a breeding area for the *Culex Quinquefasciatus* mosquito.