

## **BILL ANALYSIS**

Senate Research Center  
78R6642 JD-D

S.B. 762  
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### **DIGEST AND PURPOSE**

In the wake of the terrorist attacks of September 11, 2001, Texas public health institutions have been required to maintain a heightened level of preparedness. Health institutions are among the first responders to any attack, and their ability to provide critical services to individuals in many ways lessens the overall impact of an attack. It is essential that the public health infrastructure be able to maintain well-developed and detailed security plans for the protection of critical response components. If a bad actor were to obtain the information in a public health entity's security plans, the information could be used to foil any response effort to an attack.

As proposed, S.B. 762 allows the board of a hospital district or municipal hospital to meet in a closed meeting when deliberating the details or occasions for implementing security plans. The bill also exempts a hospital district, municipal hospital, or county health department from disclosing security plans under the Public Information Act.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 551D, Government Code, by adding Section 551.090, as follows:

Sec. 551.090. DELIBERATIONS OF GOVERNING BOARD OF MUNICIPAL HOSPITAL OR HOSPITAL DISTRICT RELATING TO CERTAIN SECURITY PLANS. Exempts the governing board of a municipal hospital or hospital district created under general or local law from conducting an open meeting to deliberate on a security plan that protects the hospital facilities or operations from terrorism.

SECTION 2. Amends Chapter 552C, Government Code, by adding Section 552.145, as follows:

Sec. 552.145. EXCEPTION: CERTAIN SECURITY PLANS OF MUNICIPAL HOSPITAL, HOSPITAL DISTRICT, OR HEALTH DEPARTMENT. Exempts from Section 552.021 (Availability of Public Information), information relating to a security plan to protect a municipal hospital, hospital district, or county health department from terrorism.

SECTION 3. Effective date: upon passage or September 1, 2003.