

By: Reyna, Delisi, Mabry, et al.

H.B. No. 627

A BILL TO BE ENTITLED

AN ACT

1
2 relating to an area quarantine in response to the introduction of an
3 environmental or toxic agent into the environment; providing a
4 criminal penalty.

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

6 SECTION 1. Subtitle D, Title 6, Health and Safety Code, is
7 amended by adding Chapter 508 to read as follows:

8 CHAPTER 508. AREA QUARANTINE FOR ENVIRONMENTAL OR TOXIC AGENT

9 Sec. 508.001. DEFINITIONS. In this chapter:

10 (1) "Environmental or toxic agent" means any bacterium
11 or other disease-producing organism, toxic substance, radioactive
12 substance, or other hazardous substance capable of causing
13 widespread human illness, death, or substantial negative economic
14 impact.

15 (2) "Health authority" means a physician appointed as
16 a health authority or a regional director under Chapter 121.

17 Sec. 508.002. APPLICABILITY. This chapter applies to any
18 circumstance in which an environmental or toxic agent is introduced
19 into the environment, including an act of terrorism.

20 Sec. 508.003. AREA QUARANTINE. (a) If the commissioner of
21 public health or one or more health authorities determine that the
22 introduction of an environmental or toxic agent into the
23 environment has occurred, the commissioner or authorities may
24 impose an area quarantine in the manner and subject to the

1 procedures provided for an area quarantine imposed under Section
2 81.085. The commissioner of public health or a health authority
3 may, with respect to an area quarantine imposed under this chapter,
4 exercise any power for a response to the introduction of an
5 environmental or toxic agent into the environment under this
6 section that is authorized by Section 81.085 for a response to an
7 outbreak of a communicable disease. The area quarantine must be
8 accomplished by the least restrictive means necessary to protect
9 public health considering the availability of resources.

10 (b) A quarantine imposed by a health authority under this
11 section expires at the earlier of:

12 (1) the 24th hour after the time the quarantine is
13 imposed; or

14 (2) the time that appropriate action to terminate the
15 quarantine or impose superseding requirements is taken under
16 Chapter 418, Government Code, or is taken by the commissioner of
17 public health under this section.

18 Sec. 508.004. CRIMINAL PENALTY. A person commits an
19 offense if the person knowingly fails or refuses to obey an order or
20 instruction of the commissioner of public health or a health
21 authority issued under this chapter and published during an area
22 quarantine under this section. An offense under this subsection is
23 a felony of the third degree.

24 SECTION 2. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2003.