

1-1 By: Reyna, Delisi, Mabry, et al. H.B. No. 627
1-2 (Senate Sponsor - Deuell)
1-3 (In the Senate - Received from the House April 14, 2003;
1-4 April 15, 2003, read first time and referred to Committee on
1-5 Infrastructure Development and Security; May 8, 2003, reported
1-6 favorably by the following vote: Yeas 9, Nays 0; May 8, 2003, sent
1-7 to printer.)

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to an area quarantine in response to the introduction of an
1-11 environmental or toxic agent into the environment; providing a
1-12 criminal penalty.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subtitle D, Title 6, Health and Safety Code, is
1-15 amended by adding Chapter 508 to read as follows:

1-16 CHAPTER 508. AREA QUARANTINE FOR ENVIRONMENTAL OR TOXIC AGENT

1-17 Sec. 508.001. DEFINITIONS. In this chapter:

1-18 (1) "Environmental or toxic agent" means any bacterium
1-19 or other disease-producing organism, toxic substance, radioactive
1-20 substance, or other hazardous substance capable of causing
1-21 widespread human illness, death, or substantial negative economic
1-22 impact.

1-23 (2) "Health authority" means a physician appointed as
1-24 a health authority or a regional director under Chapter 121.

1-25 Sec. 508.002. APPLICABILITY. This chapter applies to any
1-26 circumstance in which an environmental or toxic agent is introduced
1-27 into the environment, including an act of terrorism.

1-28 Sec. 508.003. AREA QUARANTINE. (a) If the commissioner of
1-29 public health or one or more health authorities determine that the
1-30 introduction of an environmental or toxic agent into the
1-31 environment has occurred, the commissioner or authorities may
1-32 impose an area quarantine in the manner and subject to the
1-33 procedures provided for an area quarantine imposed under Section
1-34 81.085. The commissioner of public health or a health authority
1-35 may, with respect to an area quarantine imposed under this chapter,
1-36 exercise any power for a response to the introduction of an
1-37 environmental or toxic agent into the environment under this
1-38 section that is authorized by Section 81.085 for a response to an
1-39 outbreak of a communicable disease. The area quarantine must be
1-40 accomplished by the least restrictive means necessary to protect
1-41 public health considering the availability of resources.

1-42 (b) A quarantine imposed by a health authority under this
1-43 section expires at the earlier of:

1-44 (1) the 24th hour after the time the quarantine is
1-45 imposed; or

1-46 (2) the time that appropriate action to terminate the
1-47 quarantine or impose superseding requirements is taken under
1-48 Chapter 418, Government Code, or is taken by the commissioner of
1-49 public health under this section.

1-50 Sec. 508.004. CRIMINAL PENALTY. A person commits an
1-51 offense if the person knowingly fails or refuses to obey an order or
1-52 instruction of the commissioner of public health or a health
1-53 authority issued under this chapter and published during an area
1-54 quarantine under this section. An offense under this subsection is
1-55 a felony of the third degree.

1-56 SECTION 2. This Act takes effect immediately if it receives
1-57 a vote of two-thirds of all the members elected to each house, as
1-58 provided by Section 39, Article III, Texas Constitution. If this
1-59 Act does not receive the vote necessary for immediate effect, this
1-60 Act takes effect September 1, 2003.

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