

1-1 By: Janek S.B. No. 185
1-2 (In the Senate - Filed January 10, 2003; January 30, 2003,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; April 14, 2003, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;
1-6 April 14, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 185 By: Janek

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

1-10 relating to standing water as a nuisance.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 341.011, Health and Safety Code, is
1-13 amended to read as follows:

1-14 Sec. 341.011. NUISANCE. Each of the following is a public
1-15 health nuisance:

1-16 (1) a condition or place that is a breeding place for
1-17 flies and that is in a populous area;

1-18 (2) spoiled or diseased meats intended for human
1-19 consumption;

1-20 (3) a restaurant, food market, bakery, other place of
1-21 business, or vehicle in which food is prepared, packed, stored,
1-22 transported, sold, or served to the public and that is not
1-23 constantly maintained in a sanitary condition;

1-24 (4) a place, condition, or building controlled or
1-25 operated by a state or local government agency that is not
1-26 maintained in a sanitary condition;

1-27 (5) sewage, human excreta, wastewater, garbage, or
1-28 other organic wastes deposited, stored, discharged, or exposed in
1-29 such a way as to be a potential instrument or medium in disease
1-30 transmission to a person or between persons;

1-31 (6) a vehicle or container that is used to transport
1-32 garbage, human excreta, or other organic material and that is
1-33 defective and allows leakage or spilling of contents;

1-34 (7) a collection of water in which mosquitoes are
1-35 breeding in the limits of a municipality or a collection of water
1-36 that is a breeding area for Culex quinquefasciatus mosquitoes that
1-37 can transmit diseases regardless of the collection's location;

1-38 (8) a condition that may be proven to injuriously
1-39 affect the public health and that may directly or indirectly result
1-40 from the operations of a bone boiling or fat rendering plant, tallow
1-41 or soap works, or other similar establishment;

1-42 (9) a place or condition harboring rats in a populous
1-43 area;

1-44 (10) the presence of ectoparasites, including
1-45 bedbugs, lice, and mites, suspected to be disease carriers in a
1-46 place in which sleeping accommodations are offered to the public;

1-47 (11) the maintenance of an open surface privy or an
1-48 overflowing septic tank so that the contents may be accessible to
1-49 flies; and

1-50 (12) an object, place, or condition that is a possible
1-51 and probable medium of disease transmission to or between humans.

1-52 SECTION 2. This Act takes effect immediately if it receives
1-53 a vote of two-thirds of all the members elected to each house, as
1-54 provided by Section 39, Article III, Texas Constitution. If this
1-55 Act does not receive the vote necessary for immediate effect, this
1-56 Act takes effect September 1, 2003.

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