

1-1 By: Coleman (Senate Sponsor - Whitmire) H.B. No. 3005  
1-2 (In the Senate - Received from the House May 8, 2009;  
1-3 May 8, 2009, read first time and referred to Committee on Criminal  
1-4 Justice; May 20, 2009, reported favorably by the following vote:  
1-5 Yeas 6, Nays 0; May 20, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to the mandatory testing of persons suspected of exposing  
1-9 employees of a juvenile probation department to certain diseases.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 81.050(b), Health and Safety Code, is  
1-12 amended to read as follows:

1-13 (b) A person whose occupation or whose volunteer service is  
1-14 included in one or more of the following categories may request the  
1-15 department or a health authority to order testing of another person  
1-16 who may have exposed the person to a reportable disease, including  
1-17 HIV infection:

1-18 (1) a law enforcement officer;

1-19 (2) a fire fighter;

1-20 (3) an emergency medical service employee or  
1-21 paramedic;

1-22 (4) a correctional officer; [~~or~~]

1-23 (5) an employee, contractor, or volunteer, other than  
1-24 a correctional officer, who performs a service in a correctional  
1-25 facility as defined by Section 1.07, Penal Code, or a secure  
1-26 correctional facility or secure detention facility as defined by  
1-27 Section 51.02, Family Code; or

1-28 (6) an employee of a juvenile probation department.

1-29 SECTION 2. The change in law made by this Act applies only  
1-30 to an exposure to a disease that occurs on or after the effective  
1-31 date of this Act. An exposure to a disease that occurs before the  
1-32 effective date of this Act is covered by the law in effect when the  
1-33 exposure occurred, and the former law is continued in effect for  
1-34 that purpose.

1-35 SECTION 3. This Act takes effect immediately if it receives  
1-36 a vote of two-thirds of all the members elected to each house, as  
1-37 provided by Section 39, Article III, Texas Constitution. If this  
1-38 Act does not receive the vote necessary for immediate effect, this  
1-39 Act takes effect September 1, 2009.

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