

AN ACT

relating to the definition of a public health nuisance; amending provisions subject to a criminal penalty.

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

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

Sec. 341.011. NUISANCE. Each of the following is a public health nuisance:

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

(2) spoiled or diseased meats intended for human consumption;

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

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

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

(6) a vehicle or container that is used to transport

1 garbage, human excreta, or other organic material and that is
2 defective and allows leakage or spilling of contents;

3 (7) a collection of water in which mosquitoes are
4 breeding in the limits of a municipality or a collection of water
5 that is a breeding area for [~~Culex quinquefasciatus~~] mosquitoes
6 that can transmit diseases regardless of the collection's location
7 other than a location or property where activities meeting the
8 definition of Section 11.002(12)(A), Water Code, occur;

9 (8) a condition that may be proven to injuriously
10 affect the public health and that may directly or indirectly result
11 from the operations of a bone boiling or fat rendering plant, tallow
12 or soap works, or other similar establishment;

13 (9) a place or condition harboring rats in a populous
14 area;

15 (10) the presence of ectoparasites, including
16 bedbugs, lice, and mites, suspected to be disease carriers in a
17 place in which sleeping accommodations are offered to the public;

18 (11) the maintenance of an open surface privy or an
19 overflowing septic tank so that the contents may be accessible to
20 flies; and

21 (12) an object, place, or condition that is a possible
22 and probable medium of disease transmission to or between humans.

23 SECTION 2. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2015.

President of the Senate

Speaker of the House

I certify that H.B. No. 819 was passed by the House on April 13, 2015, by the following vote: Yeas 145, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 819 was passed by the Senate on May 22, 2015, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor