

By: Sheffield

H.B. No. 819

Substitute the following for H.B. No. 819:

By: Crownover

C.S.H.B. No. 819

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the definition of a public health nuisance; amending  
3 provisions subject to a criminal penalty.

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

5 SECTION 1. Section [341.011](#), Health and Safety Code, is  
6 amended to read as follows:

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

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

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

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

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

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

24 (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.