

1-1 By: Sheffield (Senate Sponsor - Zaffirini) H.B. No. 819
 1-2 (In the Senate - Received from the House April 14, 2015;
 1-3 May 4, 2015, read first time and referred to Committee on Health
 1-4 and Human Services; May 15, 2015, reported favorably by the
 1-5 following vote: Yeas 9, Nays 0; May 15, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the definition of a public health nuisance; amending
 1-20 provisions subject to a criminal penalty.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 341.011, Health and Safety Code, is
 1-23 amended to read as follows:

1-24 Sec. 341.011. NUISANCE. Each of the following is a public
 1-25 health nuisance:

1-26 (1) a condition or place that is a breeding place for
 1-27 flies and that is in a populous area;

1-28 (2) spoiled or diseased meats intended for human
 1-29 consumption;

1-30 (3) a restaurant, food market, bakery, other place of
 1-31 business, or vehicle in which food is prepared, packed, stored,
 1-32 transported, sold, or served to the public and that is not
 1-33 constantly maintained in a sanitary condition;

1-34 (4) a place, condition, or building controlled or
 1-35 operated by a state or local government agency that is not
 1-36 maintained in a sanitary condition;

1-37 (5) sewage, human excreta, wastewater, garbage, or
 1-38 other organic wastes deposited, stored, discharged, or exposed in
 1-39 such a way as to be a potential instrument or medium in disease
 1-40 transmission to a person or between persons;

1-41 (6) a vehicle or container that is used to transport
 1-42 garbage, human excreta, or other organic material and that is
 1-43 defective and allows leakage or spilling of contents;

1-44 (7) a collection of water in which mosquitoes are
 1-45 breeding in the limits of a municipality or a collection of water
 1-46 that is a breeding area for [~~Culex quinquefasciatus~~] mosquitoes
 1-47 that can transmit diseases regardless of the collection's location
 1-48 other than a location or property where activities meeting the
 1-49 definition of Section 11.002(12)(A), Water Code, occur;

1-50 (8) a condition that may be proven to injuriously
 1-51 affect the public health and that may directly or indirectly result
 1-52 from the operations of a bone boiling or fat rendering plant, tallow
 1-53 or soap works, or other similar establishment;

1-54 (9) a place or condition harboring rats in a populous
 1-55 area;

1-56 (10) the presence of ectoparasites, including
 1-57 bedbugs, lice, and mites, suspected to be disease carriers in a
 1-58 place in which sleeping accommodations are offered to the public;

1-59 (11) the maintenance of an open surface privy or an
 1-60 overflowing septic tank so that the contents may be accessible to
 1-61 flies; and

2-1 (12) an object, place, or condition that is a possible
2-2 and probable medium of disease transmission to or between humans.

2-3 SECTION 2. This Act takes effect immediately if it receives
2-4 a vote of two-thirds of all the members elected to each house, as
2-5 provided by Section 39, Article III, Texas Constitution. If this
2-6 Act does not receive the vote necessary for immediate effect, this
2-7 Act takes effect September 1, 2015.

2-8

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