

By: Davis of Harris

H.B. No. 1495

A BILL TO BE ENTITLED

1 AN ACT

2 relating to authorizing the electronic transmission of certain  
3 communications related to the prevention of communicable diseases.

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

5 SECTION 1. Subchapter A, Chapter 81, Health and Safety  
6 Code, is amended by adding Section 81.012 to read as follows:

7 Sec. 81.012. E-MAIL DELIVERY. Any documents required to be  
8 delivered in person or sent by registered or certified mail under  
9 this chapter may be sent by e-mail with a read receipt requested.

10 SECTION 2. Sections 81.083(c) and (l), Health and Safety  
11 Code, are amended to read as follows:

12 (c) An order under this section must be in writing and be  
13 delivered personally, ~~or~~ by registered or certified mail, or by  
14 e-mail with a read receipt requested to the individual or to the  
15 individual's parent, legal guardian, or managing conservator if the  
16 individual is a minor.

17 (l) An order under Subsection (k) must be in writing and be  
18 delivered personally, ~~or~~ by registered or certified mail, or by  
19 e-mail with a read receipt requested to each member of the group,  
20 or the member's parent, legal guardian, or managing conservator if  
21 the member is a minor. If the name, address, and county of  
22 residence of any member of the group is unknown at the time the  
23 order is issued, the department or health authority must publish  
24 notice in a newspaper of general circulation in the county that

1 includes the area of the suspected exposure and any other county in  
2 which the department or health authority suspects a member of the  
3 group resides. The notice must contain the following information:

4 (1) that the department or health authority has  
5 reasonable cause to believe that a group of individuals is ill with,  
6 has been exposed to, or is the carrier of a communicable disease;

7 (2) the suspected time and place of exposure to the  
8 disease;

9 (3) a copy of any orders under Subsection (k);

10 (4) instructions to an individual to provide the  
11 individual's name, address, and county of residence to the  
12 department or health authority if the individual knows or  
13 reasonably suspects that the individual was at the place of the  
14 suspected exposure at the time of the suspected exposure;

15 (5) that the department or health authority may  
16 request that an application for court orders under Subchapter G be  
17 filed for the group, if applicable; and

18 (6) that a criminal penalty applies to an individual  
19 who:

20 (A) is a member of the group; and

21 (B) knowingly refuses to perform or allow the  
22 performance of the control measures in the order.

23 SECTION 3. Section [81.084\(b\)](#), Health and Safety Code, is  
24 amended to read as follows:

25 (b) The department or health authority shall send notice of  
26 its action by registered or certified mail, ~~or~~ by personal  
27 delivery, or by e-mail with a read receipt requested to the person

1 who owns or controls the property. If the property is land or a  
2 structure or an animal or other property on the land, the department  
3 or health authority shall also post the notice on the land and at a  
4 place convenient to the public in the county courthouse. If the  
5 property is infected or contaminated as a result of a public health  
6 disaster, the department or health authority is not required to  
7 provide notice under this subsection.

8 SECTION 4. Section [81.155\(b\)](#), Health and Safety Code, is  
9 amended to read as follows:

10 (b) A copy of the application and the written notice shall  
11 be delivered in person, ~~[or]~~ sent by certified mail, or sent by  
12 e-mail with a read receipt requested to:

- 13 (1) the person's parent, if the person is a minor;
- 14 (2) the person's appointed guardian, if the person is  
15 the subject of a guardianship; or
- 16 (3) each managing and possessory conservator, that has  
17 been appointed for the person.

18 SECTION 5. Subchapter G, Chapter 81, Health and Safety  
19 Code, is amended by adding Section 81.213 to read as follows:

20 Sec. 81.213. DIGITAL OR FAXED SIGNATURE. For the purposes  
21 of this subchapter, a digital signature, as defined by Section  
22 [166.002](#), or a faxed signature shall have the same force and effect  
23 as the use of a manual signature.

24 SECTION 6. This Act takes effect September 1, 2015.