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S.B. No. 1858

A BILL TO BE ENTITLED

1 AN ACT

2 relating to an alert system for public health or safety threat
3 notifications.

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

5 SECTION 1. Chapter 161, Health and Safety Code, is amended
6 by adding Subchapter X to read as follows:

7 SUBCHAPTER X. PUBLIC HEALTH ALERTS

8 Sec. 161.701. DEFINITIONS. In this subchapter:

9 (1) "Alert" means a public health alert for public
10 health emergencies developed and implemented statewide under this
11 subchapter.

12 (2) "Governmental entity" means a state agency or a
13 political subdivision of this state.

14 Sec. 161.702. ALERT FOR PUBLIC HEALTH EMERGENCIES. With
15 the cooperation of the office of the governor and other appropriate
16 state agencies, the department may develop and implement an alert
17 to be activated on a report to the department of a public health
18 emergency.

19 Sec. 161.703. ADMINISTRATION. (a) The commissioner is the
20 statewide coordinator of the alert.

21 (b) The executive commissioner may adopt rules and the
22 commissioner may issue directives as necessary to ensure proper
23 implementation of an alert. The rules and directives must include:

24 (1) the procedures for identifying a public health

1 emergency;

2 (2) a description of the circumstances under which a
3 governmental entity is required to report a public health emergency
4 to the department; and

5 (3) the procedures for reporting information about a
6 public health emergency to designated media outlets in this state.

7 Sec. 161.704. ALERT APPLICATION. The department may
8 partner with a nonprofit software developer to develop and maintain
9 an electronic application to increase the effectiveness, delivery,
10 and reliability of an alert. The department may not charge a fee
11 for use of the application developed under this section.

12 Sec. 161.705. NOTIFICATION TO DEPARTMENT OF PUBLIC HEALTH
13 EMERGENCY. (a) A governmental entity shall notify the department
14 of a public health emergency if the department establishes an alert
15 under this subchapter and the entity:

16 (1) receives notice of a suspected public health
17 emergency;

18 (2) verifies the suspected public health emergency;
19 and

20 (3) determines the suspected public health emergency
21 poses a credible threat to the public's health and safety.

22 (b) The governmental entity shall, as soon as practicable,
23 determine whether a suspected public health emergency poses a
24 credible threat to the public's health and safety for purposes of
25 Subsection (a)(3).

26 Sec. 161.706. ACTIVATION OF ALERT. (a) On notification of
27 a public health emergency by a governmental entity under Section

1 161.705, the department shall confirm the accuracy of the
2 information and, if confirmed, immediately issue an alert under
3 this subchapter in accordance with department rules.

4 (b) In issuing the alert, the department shall:

5 (1) provide the alert by text message and through any
6 application developed under Section 161.704 to each person in the
7 area threatened by the public health emergency; and

8 (2) send the alert to designated media outlets in this
9 state.

10 (c) On receipt of an alert under Subsection (b)(2),
11 participating radio stations, television stations, and other media
12 outlets may issue the alert at designated intervals to assist in
13 notifying the public of the public health emergency.

14 Sec. 161.707. CONTENT OF ALERT. An alert must include all
15 appropriate information provided by the governmental entity under
16 Section 161.705 that may assist the public in avoiding illness or
17 injury during the public health emergency.

18 Sec. 161.708. TERMINATION OF ALERT. (a) The commissioner
19 shall terminate any activation of an alert for a public health
20 emergency not later than the earlier of the date on which:

21 (1) the public health emergency is resolved; or

22 (2) the notification period ends, as determined by
23 department rule.

24 (b) A governmental entity that provides information to the
25 department under Section 161.705 shall notify the department as
26 soon as possible once a public health emergency is resolved.

27 SECTION 2. This Act takes effect September 1, 2017.