

By: Lucio

S.B. No. 290

A BILL TO BE ENTITLED

AN ACT

relating to mosquito control districts established for an urgent public health purpose.

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

SECTION 1. Chapter 344, Health and Safety Code, is amended by designating Sections 344.001 through 344.007 as Subchapter A and adding a subchapter heading to read as follows:

SUBCHAPTER A. ESTABLISHMENT, OPERATION, AND DISSOLUTION OF
MOSQUITO CONTROL DISTRICTS

SECTION 2. Chapter 344, Health and Safety Code, is amended by adding Subchapter B to read as follows:

SUBCHAPTER B. ESTABLISHMENT OF MOSQUITO CONTROL DISTRICTS FOR
URGENT PUBLIC HEALTH PURPOSE

Sec. 344.051. DEFINITIONS. In this subchapter:

(1) "Commission" means the Health and Human Services Commission.

(2) "Executive commissioner" means the executive commissioner of the Health and Human Services Commission.

Sec. 344.052. LEGISLATIVE FINDINGS. The legislature finds that:

(1) scientists have concluded the Zika virus is a cause of microcephaly and other severe fetal brain defects;

(2) the commission has reported that counties in the Gulf Coast region and on the international border with Mexico are at

1 the highest risk in this state of developing localized cases of the
2 Zika virus;

3 (3) Cameron County, which is located on the
4 international border with Mexico, has had as of December 2016 at
5 least five documented cases of locally transmitted Zika virus;

6 (4) the powers of a mosquito control district may be
7 effective in combating the increased risk of transmission of the
8 Zika virus; and

9 (5) an urgent public health purpose exists for
10 establishing a mosquito control district in Cameron and Hidalgo
11 Counties and other high-risk counties to contain, eradicate, and
12 treat problems associated with communicable diseases, including
13 the Zika virus, the dengue virus, and the chikungunya virus, that
14 are carried by mosquitoes.

15 Sec. 344.053. APPLICABILITY OF SUBCHAPTER. This subchapter
16 applies only to a county located on the international border with
17 Mexico:

18 (1) for which the commission has documented a locally
19 transmitted case of the Zika virus; or

20 (2) that is adjacent to a county described by
21 Subdivision (1).

22 Sec. 344.054. ESTABLISHMENT. A county may establish an
23 urgent public health mosquito control district on issuance of an
24 order by the county judge or commissioners court of the county
25 stating that an urgent public health purpose requires establishment
26 of the district and ordering an election under Section [344.001](#).

27 Sec. 344.055. DUTIES OF COUNTY ESTABLISHING DISTRICT. A

county that establishes an urgent public health mosquito control district under this subchapter shall:

(1) conduct surveillance of vectors carrying communicable disease;

(2) address the capacity of the county public health infrastructure, including by:

(A) establishing and operating communicable disease and illness identification laboratories;

(B) training and hiring public health personnel and research fellows;

(C) matching state, federal, and private initiatives and efforts aimed at addressing and mitigating health and environmental conditions that contribute to the breeding, development, and spread of vectors carrying communicable disease;

(D) testing county residents for communicable diseases and providing medical treatment to county residents who have communicable diseases; and

(E) funding prevention measures and initiatives to protect county residents from vectors carrying communicable disease; and

(3) address the prevention and spread of vectors carrying communicable disease by funding efforts to inform people about the prevention and spread through community campaigns and regional information efforts.

Sec. 344.056. SPECIAL PUBLIC HEALTH ADVISORY COMMITTEE.

(a) In this section, "committee" means the special public health advisory committee established under this section.

1 (b) Notwithstanding Section 344.004, the commissioners
2 court of a county that establishes an urgent public health mosquito
3 control district under this subchapter shall establish a special
4 public health advisory committee.

5 (c) The commissioners court shall appoint seven members to
6 the committee as follows:

7 (1) one member who is the county public health
8 administrator;

9 (2) three members who are public health administrators
10 at the executive director level in the most populated
11 municipalities in the county; and

12 (3) three members who are property taxpaying voters of
13 the county.

14 (d) The executive commissioner shall appoint one delegate
15 to serve as a nonvoting, ex officio member of the committee.

16 (e) The county judge shall designate one committee member
17 appointed under Subsection (c) as the presiding officer of the
18 committee. The committee meets at the call of the presiding
19 officer.

20 (f) A committee member serves without compensation.

21 (g) A committee member must take an oath of office
22 prescribed by the commissioners court.

23 (h) The committee shall:

24 (1) make written recommendations to the commissioners
25 court that the committee considers necessary to:

26 (A) address the urgent public health purpose of
27 the mosquito control district established under this subchapter;

1 and

2 (B) implement the district's duties; and

3 (2) perform any other duty assigned to the committee
4 by the commissioners court.

5 Sec. 344.057. MOSQUITO CONTROL PERSONNEL. The
6 commissioners court of a county that establishes an urgent public
7 health mosquito control district under this subchapter may appoint:

8 (1) a mosquito control engineer as provided by Section
9 [344.005](#); or

10 (2) any other public health professional the
11 commissioners court determines is necessary to carry out the duties
12 of the district and to address the recommendations of the special
13 public health advisory committee established under Section
14 344.056.

15 SECTION 3. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section [39](#), Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2019.