

By: Kolkhorst
(Thierry, Walle, Thompson of Harris)

S.B. No. 2150

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the reporting of certain information on maternal
3 mortality to the Department of State Health Services and the
4 confidentiality of that information.

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

6 SECTION 1. Section 34.001, Health and Safety Code, is
7 amended by adding Subdivisions (11-a) and (12-a) and amending
8 Subdivisions (12) and (14) to read as follows:

9 (11-a) "Pregnancy-associated death" means the death
10 of a woman by any cause that occurs during or within one year of
11 delivery or end of pregnancy, regardless of the outcome or location
12 of the pregnancy.

13 (12) "Pregnancy-related death" means the death of a
14 woman while pregnant or within one year of delivery or end of
15 pregnancy, regardless of the outcome, duration, or location [~~and~~
16 ~~site~~] of the pregnancy, from any cause related to or aggravated by
17 the pregnancy or its management, but not from accidental or
18 incidental causes.

19 (12-a) "Review committee" means the Maternal Mortality
20 and Morbidity Review Committee.

21 (14) "Task force" means the review committee [~~Maternal~~
22 ~~Mortality and Morbidity Task Force~~].

23 SECTION 2. The heading to Section 34.002, Health and Safety
24 Code, is amended to read as follows:

1 Sec. 34.002. MATERNAL MORTALITY AND MORBIDITY REVIEW
2 COMMITTEE; REFERENCE IN LAW [~~TASK FORCE~~].

3 SECTION 3. Section 34.002, Health and Safety Code, is
4 amended by amending Subsections (a) and (e) and adding Subsection
5 (a-1) to read as follows:

6 (a) The Maternal Mortality and Morbidity Review Committee
7 [~~Task Force~~] is administered by the department.

8 (a-1) Notwithstanding any other law, a reference in this
9 chapter or other law to the Maternal Mortality and Morbidity Task
10 Force means the Maternal Mortality and Morbidity Review Committee.

11 (e) A member of the task force appointed under Subsection
12 (b)(1) is not entitled to compensation for service on the task force
13 but, subject to Section 34.014(b), may be reimbursed [~~or~~
14 ~~reimbursement~~] for travel or other expenses incurred by the member
15 while conducting the business of the task force.

16 SECTION 4. Section 34.009(a), Health and Safety Code, is
17 amended to read as follows:

18 (a) Any information pertaining to a pregnancy-associated
19 death, a pregnancy-related death, or severe maternal morbidity is
20 confidential for purposes of this chapter.

21 SECTION 5. Section 34.014, Health and Safety Code, is
22 amended to read as follows:

23 Sec. 34.014. FUNDING. (a) The department may accept
24 gifts and grants from any source to fund the duties of the
25 department and the task force under this chapter.

26 (b) The department may use only gifts, grants, or federal
27 funds to reimburse travel or other expenses incurred by a member of

1 the task force in accordance with Section 34.002(e).

2 SECTION 6. Section 34.008, Health and Safety Code, is
3 amended by adding Subsection (e) to read as follows:

4 (e) For purposes of this chapter, a licensed health care
5 provider, including a nurse, who is involved in obtaining
6 information relevant to a case of pregnancy-associated death,
7 pregnancy-related death, or severe maternal morbidity under this
8 chapter and who is required under other law to report a violation
9 related to the provider's profession is exempt from the requirement
10 to report the violation for information obtained under this
11 chapter.

12 SECTION 7. Section 34.017, Health and Safety Code, is
13 amended by adding Subsections (c), (d), and (e) to read as follows:

14 (c) The department may allow voluntary and confidential
15 reporting to the department of pregnancy-associated deaths and
16 pregnancy-related deaths by health care professionals, health care
17 facilities, and persons who complete the medical certification for
18 a death certificate for deaths reviewed or analyzed by the review
19 committee.

20 (d) The department shall allow voluntary and confidential
21 reporting to the department of pregnancy-associated deaths and
22 pregnancy-related deaths by family members of or other appropriate
23 individuals associated with a deceased patient. The department
24 shall:

25 (1) post on the department's Internet website the
26 contact information of the person to whom a report may be submitted
27 under this subsection; and

1 (2) conduct outreach to local health organizations on
2 the availability of the review committee to review and analyze the
3 deaths.

4 (e) Information reported to the department under this
5 section is confidential in accordance with Section [34.009](#).

6 SECTION 8. This Act takes effect September 1, 2019.

1 COMMITTEE AMENDMENT NO. 1

2 Amend S.B. No. 2150 by adding the following appropriately
3 numbered SECTIONS to the bill and renumbering subsequent SECTIONS
4 of the bill accordingly:

5 SECTION _____. Chapter 1061, Special District Local Laws
6 Code, is amended by adding Subchapter G to read as follows:

7 SUBCHAPTER G. SALES AND USE TAX

8 Sec. 1061.301. TAX AUTHORIZED. (a) The district may adopt,
9 change the rate of, or abolish a sales and use tax at an election
10 held in the district.

11 (b) The district may not adopt a tax under this subchapter
12 or increase the rate of the tax if as a result of the adoption of the
13 tax or the tax increase the combined rate of all sales and use taxes
14 imposed by the district and all other political subdivisions of
15 this state having territory in the district would exceed two
16 percent in any location in the district.

17 Sec. 1061.302. APPLICABILITY OF OTHER LAW. Except to the
18 extent that a provision of this subchapter applies, Chapter 323,
19 Tax Code, applies to a tax authorized by this subchapter in the same
20 manner as that chapter applies to the tax authorized by that
21 chapter.

22 Sec. 1061.303. TAX RATE; CHANGE IN RATE. (a) The district
23 may impose a tax authorized by this subchapter in increments of
24 one-eighth of one percent, with a minimum rate of one-eighth of one
25 percent and a maximum rate of two percent.

26 (b) The district may increase the rate of a tax authorized
27 by this subchapter to a maximum of two percent or decrease the rate

1 of the tax to a minimum of one-eighth of one percent if the change is
2 approved by a majority of the voters of the district at an election
3 called for that purpose.

4 Sec. 1061.304. ELECTION PROCEDURE. An election to adopt,
5 change the rate of, or abolish a tax authorized by this subchapter
6 is called by the adoption of an order of the board. The board may
7 call an election on its own motion and shall call an election if a
8 number of qualified voters in the district equal to at least five
9 percent of the number of registered voters in the district
10 petitions the board to call the election.

11 Sec. 1061.305. ELECTION IN OTHER TAXING AUTHORITY. (a) In
12 this section, "taxing authority" means any entity authorized to
13 impose a local sales and use tax.

14 (b) If the district is included within the boundaries of
15 another taxing authority and the adoption or increase in the rate of
16 a tax under this subchapter would result in a combined tax rate by
17 the district and other political subdivisions of this state of more
18 than two percent at any location in the district, an election to
19 approve or increase the rate of the tax has no effect unless:

20 (1) one or more of the other taxing authorities holds
21 an election in accordance with the law governing that authority on
22 the same date as the election under this subchapter to reduce the
23 tax rate of that authority to a rate that will result in a combined
24 tax rate by the district and other political subdivisions of not
25 more than two percent at any location in the district; and

26 (2) the combined tax rate is reduced to not more than
27 two percent as a result of that election.

1 (c) This section does not permit a taxing authority to
2 impose taxes at differential tax rates within the territory of the
3 authority.

4 Sec. 1061.306. TAX EFFECTIVE DATE. (a) The adoption,
5 change in the rate of, or abolition of a tax under this subchapter
6 takes effect on the first day of the first calendar quarter
7 occurring after the expiration of the first complete calendar
8 quarter occurring after the date on which the comptroller receives
9 notice of the results of an election to adopt, change the rate of,
10 or abolish the tax.

11 (b) If the comptroller determines that an effective date
12 provided by Subsection (a) will occur before the comptroller can
13 reasonably take the action required to begin collecting the tax or
14 to implement the change in the rate of the tax or the abolition of
15 the tax, the effective date may be extended by the comptroller until
16 the first day of the next calendar quarter.

17 Sec. 1061.307. USE OF TAX REVENUE. Revenue from a tax
18 imposed under this subchapter may be used by the district for any
19 purpose of the district authorized by law.

20 SECTION _____. Section 1061.151(b), Special District Local
21 Laws Code, is amended to read as follows:

22 (b) The proposed budget must contain a complete financial
23 statement of:

- 24 (1) the outstanding obligations of the district;
25 (2) the cash on hand in each district fund;
26 (3) the money received by the district from all
27 sources during the previous year;

1 (4) the money available to the district from all
2 sources during the ensuing year;

3 (5) the balances expected at the end of the year in
4 which the budget is being prepared;

5 (6) the estimated revenue and balances available to
6 cover the proposed budget;

7 (7) the estimated ad valorem tax rate required; and

8 (8) the proposed expenditures and disbursements and
9 the estimated receipts and collections for the following fiscal
10 year.

11 SECTION _____. The heading to Subchapter F, Chapter 1061,
12 Special District Local Laws Code, is amended to read as follows:

13 SUBCHAPTER F. AD VALOREM TAXES

14 SECTION _____. Section 26.012(1), Tax Code, is amended to
15 read as follows:

16 (1) "Additional sales and use tax" means an additional
17 sales and use tax imposed by:

18 (A) a city under Section 321.101(b);

19 (B) a county under Chapter 323; or

20 (C) a hospital district, other than a hospital
21 district:

22 (i) created on or after September 1, 2001,
23 that:

24 (a) [~~(i)~~] imposes the sales and use
25 tax under Subchapter I, Chapter 286, Health and Safety Code; or

26 (b) [~~(i)~~] imposes the sales and use
27 tax under Subchapter L, Chapter 285, Health and Safety Code; or

