

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**April 3, 2019**

**TO:** Honorable Garnet Coleman, Chair, House Committee on County Affairs

**FROM:** John McGeady, Assistant Director     Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB1722** by Coleman (Relating to the establishment by counties and municipalities of disease control programs to reduce the risk of certain infectious and communicable diseases; authorizing fees.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Government Code to require the Department of State Health Services (DSHS) to provide guidance to counties and municipalities that establish a program to reduce the risk of certain communicable diseases through hypodermic needles and syringes.

The bill would also amend the Health and Safety Code to allow the commissioner of DSHS to declare a public health emergency in counties and municipalities where infectious and communicable diseases exists. The bill would allow DSHS, a county, or municipality to charge a reasonable registration fee to pay for oversight functions. The bill would prohibit the use of state funds to purchase hypodermic needles or syringes.

The bill would require DSHS to annually submit a report to the legislature on the effectiveness of the disease control program; the program's impact on reducing the spread of HIV, hepatitis B, hepatitis C, and other infectious and communicable diseases; and the program's effect on intravenous drug use.

The bill would also amend the Health and Safety Code to provide an exemption to prosecution for the offense of possession or delivery of drug paraphernalia, which is punished as a Class C misdemeanor or a Class A misdemeanor under the circumstances subject to the provisions of the bill.

The bill would take effect September 1, 2019.

The agency indicates the provisions of the bill can be implemented within existing resources and costs would be insignificant for the agency to charge a fee. This analysis also assumes the provisions of the bill addressing sanctions for criminal offenses would not result in a significant impact on state correctional agencies.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 529 Health and Human Services Commission, 537 State Health Services,  
Department of

**LBB Staff:** WP, AF, EP, AMa, JPo