

By: Johnson

S.B. No. 95

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the governor's issuance of executive orders,
3 proclamations, and regulations regarding the wearing of face masks
4 or coverings during a declared state of disaster.

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

6 SECTION 1. Section 418.012, Government Code, is amended to
7 read as follows:

8 Sec. 418.012. EXECUTIVE ORDERS. (a) Under this chapter,
9 the governor may issue executive orders, proclamations, and
10 regulations and amend or rescind them. Executive orders,
11 proclamations, and regulations have the force and effect of law.

12 (b) Notwithstanding Subsection (a), the governor may not
13 issue an executive order, proclamation, or regulation under this
14 chapter that prohibits an institution of higher education as
15 defined by Section 61.003, Education Code, school district,
16 open-enrollment charter school, municipality, county, or health
17 authority from adopting a policy or issuing an order requiring the
18 wearing of face masks or coverings during a declared state of
19 disaster.

20 SECTION 2. The changes in law made by this Act apply to an
21 order, proclamation, or regulation that is in effect on the
22 effective date of this Act or that is issued or renewed on or after
23 the effective date of this Act. An order, proclamation, or
24 regulation in effect on the effective date of this Act that

1 conflicts with the law as amended by this Act is void as of that date
2 and not enforceable against any person.

3 SECTION 3. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect on the 91st day after the last day of the
8 legislative session.