87S30227 JG-D

By:  Howard H.B. No. 98

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a business to implement certain communicable disease prevention and control policies.

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

SECTION 1.  Subchapter A, Chapter 81, Health and Safety Code, is amended by adding Section 81.018 to read as follows:

Sec. 81.018.  AUTHORITY OF BUSINESS TO IMPLEMENT CERTAIN COMMUNICABLE DISEASE PREVENTION AND CONTROL POLICIES. (a) In this section, "COVID-19" means the 2019 novel coronavirus disease.

(b)  Notwithstanding any other law, a business in this state may implement a policy that requires an individual to wear a face mask or covering or to provide proof of vaccination or immunization against a particular communicable disease, including COVID-19, for the individual to obtain a service provided by or gain access to an establishment owned or operated by the business.

(c)  A state agency may not suspend or revoke a business's license, permit, or other state authorization necessary for conducting business in this state or take any other disciplinary action against a business for implementing a policy described by Subsection (b).

SECTION 2.  Sections 161.0085(c) and (d), Health and Safety Code, are repealed.

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