

## **BILL ANALYSIS**

Senate Research Center

S.B. 967  
By: Kolkhorst  
Health & Human Services  
6/4/2021  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Current law allows local public health authorities to impose public health orders without input from local elected officials. While it is important for a health department to have discretion in the initial imposition of an order to protect public health, the lack of elected official involvement in the process may reduce public confidence in the order.

S.B. 967 requires local health authorities to obtain approval to extend the order from their respective elected executive (mayor for municipal health departments, and county judge for county health departments) or it will expire the eighth day after it was issued.

This added oversight allows more involvement in the process for citizens who can engage with their local elected officials to convey their thoughts on the order before it is extended.

(Original Author's/Sponsor's Statement of Intent)

S.B. 967 amends current law relating to the expiration and extension of certain public health orders issued by a health authority.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter B, Chapter 121, Health and Safety Code, by adding Section 121.026, as follows:

Sec. 121.026. EXPIRATION AND EXTENSION OF CERTAIN PUBLIC HEALTH ORDERS ISSUED BY HEALTH AUTHORITY. (a) Provides that this section applies only to a public health order imposed on more than one individual, animal, place, or object.

(b) Provides that a public health order issued by a health authority under Chapter 121 (Local Public Health Reorganization Act) or other law expires on the 15th day following the date the order is issued unless, before the 15th day by majority vote, the governing body of a municipality or the commissioners court of a county that appointed the health authority extends the order for a longer period, or, if the health authority is jointly appointed by a municipality and county, the commissioner's court of the county extends the order for a longer period.

SECTION 2. Makes application of Section 121.026, Health and Safety Code, as added by this Act, prospective.

SECTION 3. Effective date: September 1, 2021.