

BILL ANALYSIS

C.S.S.B. 967
By: Kolkhorst
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Current law allows local public health authorities to impose public health orders without input from local elected officials. It has been suggested that, 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. C.S.S.B. 967 seeks to address this issue and allow for more public engagement by providing for the expiration of certain public health orders after the eighth day following the date of issuance unless the applicable municipal governing body or county commissioners court extends the order for a longer period.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 967 amends the Health and Safety Code to establish that a public health order imposed on more than one individual, animal, place, or object and issued by a health authority under the Local Public Health Reorganization Act or other law expires on the eighth day following the date the order is issued unless, before the eighth day by majority vote, either of the following occurs:

- 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 commissioners court of the county extends the order for a longer period.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 967 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

The substitute includes a provision that did not appear in the engrossed establishing an exception to the bill's expiration of a public health order for a health authority that is jointly appointed by a municipality and county if the county commissioners court extends the order for a longer period by majority vote and before the expiration date.