

By: Tinderholt

H.B. No. 3782

A BILL TO BE ENTITLED

AN ACT

relating to governmental authority to close private and public schools.

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

SECTION 1. Subchapter E, Chapter 81, Health and Safety Code, is amended by adding Section 81.0851 to read as follows:

Sec. 81.0851. APPLICATION OF CONTROL MEASURES TO SCHOOLS.

Notwithstanding any other provision of this chapter, the department or a health authority may not impose control measures that require the closure of a public or private school within its jurisdiction.

SECTION 2. Section 418.012, Government Code, is amended to read as follows:

Sec. 418.012. EXECUTIVE ORDERS. (a) Under this chapter, the governor may issue executive orders, proclamations, and regulations and amend or rescind them, except as provided by Subsection (b). Executive orders, proclamations, and regulations have the force and effect of law.

(b) The governor may not issue an executive order, proclamation, or regulation requiring the closure of a public or private school.

SECTION 3. Section 418.016, Government Code, is amended by adding Subsection (i) to read as follows:

(i) Notwithstanding Subsection (a), the governor may not suspend Section 418.012(b) or a state agency rule or order that

1 conflicts with that subsection.

2 SECTION 4. This Act takes effect September 1, 2021.