

By: Slaton

H.B. No. 4197

A BILL TO BE ENTITLED

AN ACT

relating to limitations on public health directives issued during a state of disaster or outbreak of a communicable disease.

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

SECTION 1. Subchapter B, Chapter 418, Government Code, is amended by adding Section 418.0165 to read as follows:

Sec. 418.0165. PUBLIC HEALTH DIRECTIVES. During a state of disaster declared by the governor, if the governor issues a public health directive as the governor determines necessary to address the disaster, the directive must not be more stringent than any public health directive for undocumented immigrants issued by United States Immigration and Customs Enforcement.

SECTION 2. Subchapter A, Chapter 81, Health and Safety Code, is amended by adding Section 81.016 to read as follows:

Sec. 81.016. PUBLIC HEALTH DIRECTIVES. If the department or a health authority issues a public health directive under this chapter as the department or health authority determines necessary to address an outbreak of a communicable disease or public health disaster, the directive may not be more stringent than any public health directive for undocumented immigrants issued by United States Immigration and Customs Enforcement.

SECTION 3. The changes in law made by this Act apply only to a directive issued on or after the effective date of this Act.

SECTION 4. EFFECTIVE DATE. This Act takes effect

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1 immediately if it receives a vote of two-thirds of all the members
2 elected to each house, as provided by Section 39, Article III, Texas
3 Constitution. If this Act does not receive the vote necessary for
4 immediate effect, this Act takes effect September 1, 2021.