

AN ACT

relating to the establishment of a personal protective equipment reserve advisory committee.

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 81.016 to read as follows:

Sec. 81.016. PERSONAL PROTECTIVE EQUIPMENT RESERVE ADVISORY COMMITTEE. (a) In this section, "division" means the Texas Division of Emergency Management.

(b) The division shall establish the Personal Protective Equipment Reserve Advisory Committee composed of the following members appointed by the division:

(1) one representative of an association representing different types of hospitals and health systems;

(2) one representative of an association representing nursing facilities;

(3) one representative of an association representing primary care clinics;

(4) one representative of an association representing nurses;

(5) one representative of an association representing home hospice care providers;

(6) one representative of a statewide association representing physicians;

1           (7) two representatives of labor organizations that  
2 represent essential personnel;

3           (8) one representative from the personal protective  
4 equipment manufacturing industry;

5           (9) one consumer representative;

6           (10) one representative from an association  
7 representing counties;

8           (11) one representative of a regional advisory council  
9 from one of this state's trauma service areas;

10          (12) one representative from the department;

11          (13) one representative from the division; and

12          (14) one representative from the commission.

13          (c) The advisory committee shall make recommendations to  
14 the division as necessary on:

15           (1) the procurements needed for a statewide personal  
16 protective equipment reserve;

17           (2) the storage of the equipment in the reserve; and

18           (3) the distribution of the equipment to health care  
19 workers and essential personnel.

20          (d) This section expires and the advisory committee is  
21 abolished September 1, 2023.

22          SECTION 2. As soon as practicable after the effective date  
23 of this Act, the Texas Division of Emergency Management shall  
24 appoint members to the Personal Protective Equipment Reserve  
25 Advisory Committee established under Section 81.016, Health and  
26 Safety Code, as added by this Act.

27          SECTION 3. The Texas Division of Emergency Management is

1 required to implement a provision of this Act only if the  
2 legislature appropriates money specifically for that purpose or if  
3 federal money is provided to this state and by law made available to  
4 the division for the purposes of this Act. If the legislature does  
5 not appropriate money specifically for that purpose and federal  
6 money is not available for that purpose, the division may, but is  
7 not required to, implement a provision of this Act using other  
8 appropriations that are available for that purpose.

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

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 437 passed the Senate on April 29, 2021, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendments on May 29, 2021, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 437 passed the House, with amendments, on May 26, 2021, by the following vote: Yeas 106, Nays 41, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor