

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 6, 2021

TO: Honorable Chris Paddie, Chair, House Committee on State Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB968 by Kolkhorst (Relating to public health disaster and public health emergency preparedness and response; providing a civil penalty.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The Department of State Health Services and the Preparedness Coordinating Council advisory committee are required to implement this Act only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the commission may, but is not required to, implement the Act using other appropriations available for the purpose.

The bill would prohibit the Texas Medical Board (TMB) from limiting nonelective medical procedures and would authorize TMB to temporarily limit other medical procedures during a declared state of disaster.

The bill would require the Texas Department on Emergency Management to enter into a contract that meets certain requirements with a manufacturer of personal protective equipment.

The bill would require the Department of State Health Services (DSHS) to establish an expert panel during a public health disaster or emergency order. The bill would establish a civil penalty if a health care facility fails to report as required by DSHS during a public health disaster or emergency.

The bill would prohibit a governmental entity from issuing a vaccine passport for a purpose other than healthcare, prohibit businesses in the state from requiring documentation certifying the customer's COVID-19 vaccination or recovery, and require state agencies to ensure businesses in the state comply as a condition for contracting with the state and receiving licenses, permits, or other authorizations.

The bill would require DSHS to establish an Office of Chief State Epidemiologist to provide public health expertise.

The bill would require the Preparedness Coordinating Council advisory committee to conduct a study on the state's response to COVID-19 by December 1, 2022.

The analysis assumes the provisions of the bill could be implemented within existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Admin, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 313 Department of Information Resources, 452 Dept of License & Reg, 458 Alcoholic Beverage Commission, 503 Texas Medical Board, 529 Hlth & Human Svcs Comm, 537 State Health Services, 575 TX Division of Emergency Management

LBB Staff: JMc, SMAT, JLI, NDA, AKI