By:  Birdwell, et al. S.B. No. 29

(In the Senate - Filed March 9, 2023; March 9, 2023, read first time and referred to Committee on State Affairs; March 22, 2023, reported favorably by the following vote: Yeas 8, Nays 3; March 22, 2023, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Hughes          X

Paxton          X

Bettencourt     X

Birdwell        X

LaMantia            X

Menéndez            X

Middleton       X

Parker          X

Perry           X

Schwertner      X

Zaffirini           X

A BILL TO BE ENTITLED

AN ACT

relating to prohibited governmental entity implementation or enforcement of a vaccine mandate, mask requirement, or private business or school closure to prevent the spread of COVID-19.

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

SECTION 1.  Subtitle D, Title 2, Health and Safety Code, is amended by adding Chapter 81B to read as follows:

CHAPTER 81B. PROHIBITED CORONAVIRUS PREVENTATIVE MEASURES

Sec. 81B.001.  DEFINITIONS. In this chapter:

(1)  "COVID-19" means the 2019 novel coronavirus disease and any variants of the disease.

(2)  "Governmental entity" means this state, a local government entity as defined by Section 418.004, Government Code, or an agency of this state or a local government entity.

Sec. 81B.002.  PROHIBITED FACE-COVERING MANDATE. A governmental entity may not implement, order, or otherwise impose a mandate requiring a person to wear a face mask or other face covering to prevent the spread of COVID-19.

Sec. 81B.003.  PROHIBITED VACCINE MANDATE. A governmental entity may not implement, order, or otherwise impose a mandate requiring a person to be vaccinated against COVID-19.

Sec. 81B.004.  PROHIBITED CLOSURE MANDATE FOR PRIVATE BUSINESSES AND SCHOOLS. A governmental entity may not implement, order, or otherwise impose a mandate requiring the closure of a private business, public school, open-enrollment charter school, or private school to prevent the spread of COVID-19.

SECTION 2.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.

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