

By: Harrison

H.B. No. 1491

A BILL TO BE ENTITLED

AN ACT

relating to authority to suspend the entry of persons from designated places.

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. Suspension of entry of persons from designated places to prevent spread of communicable diseases

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

(1) "COVID-19" means the 2019 novel coronavirus disease.

(2) "Federally declared public health emergency" means:

(A) a public health emergency declared by the United States Secretary of Health and Human Services under 42 U.S.C. Section 247d; or

(B) an emergency or disaster declared, including under a renewal of the declaration, by the president of the United States in relation to a public health emergency described by Paragraph (A) under:

(i) the National Emergencies Act (50 U.S.C. Section 1601 et seq.); or

(ii) the Robert T. Stafford Disaster Relief and Emergency Assistant Act (42 U.S.C. Section 5121 et seq.).

(3) "Port of entry" means a port of entry in the United States, as defined by part 101 of the customs regulations (19 CFR

1 part 101).

2 (4) "Person" means any individual other than (i) one
3 described in the first sentence of section 1 of the Fourteenth
4 Amendment to the United States Constitution or (ii) one described
5 in 8 U.S.C. § 1101(a)(20).

6 Sec. 81B.002. SUSPENSION OF ENTRY. (a) During any of the
7 following, all persons entering Texas by land from another country
8 must pass through a legal port of entry for appropriate medical
9 review:

10 (1) the pendency of any federally declared public
11 health emergency for COVID-19,

12 (2) at any time which the federal government has in
13 place any vaccination requirements for any person lawfully
14 residing in the United States, including but not limited to
15 government contractors or healthcare workers, for the purposes of
16 preventing the spread of COVID-19 in the United States, or

17 (3) at any time which the U.S. Department of State has
18 travel warnings for COVID-19 for any country from which citizens
19 have illegally entered the United States during the most recent
20 year for which there is available data.

21 (b) Any person who enters the State of Texas from a foreign
22 country other than in accordance with subsection (a) of this
23 section, shall be removed to the country from which they entered the
24 United States, or their country of origin, or another location as
25 practicable, as rapidly as possible, with as little time spent in
26 congregate settings as practicable under the circumstances.

27 SECTION 2. This Act takes effect immediately if it receives

H.B. No. 1491

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