

By: Turner

H.B. No. 3480

A BILL TO BE ENTITLED

AN ACT

relating to overdose mapping by a local health authority or a law enforcement agency for public safety purposes.

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

SECTION 1. Chapter 370, Local Government Code, is amended by adding Section 370.007 to read as follows:

Sec. 370.007. PARTICIPATION AGREEMENT FOR OVERDOSE MAPPING. (a) In this section:

(1) "Controlled substance" has the meaning assigned by Section 481.002, Health and Safety Code.

(2) "Opioid antagonist" has the meaning assigned by Section 483.101, Health and Safety Code.

(b) A local health authority or a law enforcement agency located in a county with a population of more than 2 million may enter into a participation agreement with an entity that maintains a computerized system for mapping overdoses for public safety purposes.

(c) A local health authority or law enforcement agency that has entered into a participation agreement under Subsection (b) shall:

(1) solicit and accept information regarding overdoses occurring in the county; and

(2) provide information described by Subdivision (1) to the entity with which the authority or agency has a participation

1 agreement under Subsection (b) for purposes of entering the
2 information into the computerized system.

3 (d) The following information regarding an overdose
4 incident, if known, must be entered into the computerized system:

5 (1) the date and time of the overdose incident;

6 (2) the GPS coordinates or approximate location of the
7 overdose incident;

8 (3) the suspected controlled substance involved in the
9 overdose incident;

10 (4) whether an opioid antagonist was administered and,
11 if so, the number of doses and type of delivery;

12 (5) whether the person who overdosed was transported
13 to the hospital;

14 (6) whether the overdose involved the operation of a
15 motor vehicle;

16 (7) whether multiple persons were involved in the
17 overdose incident;

18 (8) the sex and approximate age of each person
19 receiving treatment for an overdose; and

20 (9) whether the overdose was fatal or nonfatal.

21 (e) A person who provides information about an overdose
22 incident to a local health authority or law enforcement agency in
23 good faith under this section is not subject to civil or criminal
24 liability for providing the information.

25 (f) A law enforcement agency may use information provided or
26 received under this section only for mapping overdose locations for
27 public safety purposes.

1 (g) Information provided for purposes of overdose mapping
2 under this section is confidential and not subject to disclosure
3 under Chapter 552, Government Code.

4 (h) Section 181.154, Health and Safety Code, does not apply
5 to information provided, received, or used under this section.

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