

By: Toth

H.B. No. 5027

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

1 private business, public school, open-enrollment charter school,  
2 or private school to prevent the spread of COVID-19.

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