

By: Hall

S.B. No. 310

A BILL TO BE ENTITLED

AN ACT

1
2 relating to limitations on public health directives issued during a
3 state of disaster or outbreak of a communicable disease.

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

5 SECTION 1. Subchapter B, Chapter 418, Government Code, is
6 amended by adding Section 418.0165 to read as follows:

7 Sec. 418.0165. PUBLIC HEALTH DIRECTIVES. During a state of
8 disaster declared by the governor, the governor may issue a public
9 health directive as the governor determines necessary to address
10 the disaster only if the directive is not more stringent than any
11 public health directive for undocumented immigrants issued by
12 United States Immigration and Customs Enforcement.

13 SECTION 2. Subchapter A, Chapter 81, Health and Safety
14 Code, is amended by adding Section 81.018 to read as follows:

15 Sec. 81.018. PUBLIC HEALTH DIRECTIVES. The department or a
16 health authority may issue a public health directive under this
17 chapter as the department or health authority determines necessary
18 to address an outbreak of a communicable disease or a public health
19 disaster or emergency only if the directive is not more stringent
20 than any public health directive for undocumented immigrants issued
21 by United States Immigration and Customs Enforcement.

22 SECTION 3. The changes in law made by this Act apply only to
23 a public health directive issued under Section 418.0165, Government
24 Code, or Section 81.018, Health and Safety Code, as added by this

1 Act, on or after the effective date of this Act.

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