

By: Eckhardt

S.B. No. 700

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the implementation by public schools of certain  
3 communicable disease public health orders issued by a health  
4 authority.

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

6 SECTION 1. Subchapter A, Chapter 38, Education Code, is  
7 amended by adding Section 38.0022 to read as follows:

8 Sec. 38.0022. REQUIRED IMPLEMENTATION OF CERTAIN  
9 COMMUNICABLE DISEASE PUBLIC HEALTH ORDERS. (a) In this section,  
10 "communicable disease" and "health authority" have the meanings  
11 assigned by Section 81.003, Health and Safety Code.

12 (b) Notwithstanding any other law and subject to Subsection  
13 (c), a school district shall implement or otherwise comply with  
14 health directives outlined in a public health order issued by a  
15 health authority with jurisdiction over territory in which the  
16 district is wholly or partly located regarding evidence-based  
17 practices to reduce or eliminate the transmission of or infection  
18 with a communicable disease among district students and staff,  
19 including directives requiring the students and staff to wear face  
20 masks or face coverings.

21 (c) If two or more health authorities with jurisdiction over  
22 territory in which a school district is wholly or partly located  
23 issue public health orders with conflicting health directives, the  
24 board of trustees of the district may select which health

1 authority's public health order the district will implement or  
2 otherwise comply with.

3 SECTION 2. Section 38.0022, Education Code, as added by  
4 this Act, applies only to a public health order issued by a health  
5 authority on or after the effective date of this Act.

6 SECTION 3. This Act takes effect September 1, 2023.