

1-1 By: Huffman S.B. No. 1319
1-2 (In the Senate - Filed February 28, 2023; March 1, 2023,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 March 9, 2023, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; March 9, 2023,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	<u>Whitmire</u>	X		
1-10	<u>Flores</u>	X		
1-11	<u>Bettencourt</u>	X		
1-12	<u>Hinojosa</u>	X		
1-13	<u>Huffman</u>	X		
1-14	<u>King</u>	X		
1-15	<u>Miles</u>	X		

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1319 By: Huffman

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the reporting of certain overdose information and the
1-20 mapping of overdoses for public safety purposes.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter E, Chapter 161, Health and Safety
1-23 Code, is amended by adding Section 161.045 to read as follows:

1-24 Sec. 161.045. MANDATORY REPORTING OF CONTROLLED SUBSTANCE
1-25 OVERDOSES FOR PUBLIC SAFETY MAPPING. (a) In this section:

1-26 (1) "Controlled substance" has the meaning assigned by
1-27 Section 481.002.

1-28 (2) "Opioid antagonist" has the meaning assigned by
1-29 Section 483.101.

1-30 (b) This section applies only to a law enforcement officer,
1-31 first responder, or other person who administers emergency services
1-32 who is employed by a county in which the local health authority or
1-33 law enforcement agency, as applicable, has entered into a
1-34 participation agreement for overdose mapping under Section
1-35 370.007, Local Government Code.

1-36 (c) A person to whom this section applies who responds to an
1-37 overdose incident shall report information about the incident as
1-38 soon as possible to the local health authority or law enforcement
1-39 agency, as applicable, that has entered into the participation
1-40 agreement under Section 370.007, Local Government Code.

1-41 (d) A report under this section must include, if possible:

1-42 (1) the date and time of the overdose incident;

1-43 (2) the approximate location of the overdose incident,

1-44 using:

1-45 (A) an address;

1-46 (B) the latitude and longitude of the location;

1-47 or

1-48 (C) the location data from a cellular device;

1-49 (3) whether an opioid antagonist was administered, and
1-50 if so, the number of doses and the type of delivery; and

1-51 (4) whether the overdose was fatal or nonfatal.

1-52 (e) A person who reports information about an overdose
1-53 incident under this section in good faith is not subject to civil or
1-54 criminal liability for making the report.

1-55 (f) A law enforcement agency may use information received
1-56 from a report under this section only for mapping overdose
1-57 locations for public safety purposes.

1-58 (g) Information in a report described by this section is
1-59 confidential and not subject to disclosure under Chapter 552,
1-60 Government Code.

2-1 SECTION 2. Chapter 370, Local Government Code, is amended
2-2 by adding Section 370.007 to read as follows:

2-3 Sec. 370.007. PARTICIPATION AGREEMENT FOR OVERDOSE
2-4 MAPPING. (a) A local health authority or law enforcement agency
2-5 may enter into a participation agreement with an entity that
2-6 maintains a computerized system for mapping overdoses for public
2-7 safety purposes.

2-8 (b) A local health authority or law enforcement agency shall
2-9 provide information received under Section 161.045, Health and
2-10 Safety Code, to the entity with which the authority or agency has a
2-11 participation agreement under Subsection (a) for purposes of
2-12 entering the information into the computerized system.

2-13 SECTION 3. This Act takes effect September 1, 2023.

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