

BILL ANALYSIS

H.B. 163
By: Cortez
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The author has informed the committee that, in 2014, 18-year-old Dillon Mueller tragically passed away after experiencing anaphylaxis from a bee sting and that this event has raised awareness for such avoidable tragedies and led to legislation being introduced in other states such as Wisconsin and Minnesota. According to the nonprofit group Food Allergy Research & Education, 33 million Americans live with potentially life-threatening food allergies, and the author has informed the committee that allowing more entities to maintain and administer epinephrine could increase the chances of saving individuals experiencing anaphylaxis from such allergies and other triggers. H.B. 163 seeks to address this issue by authorizing entities in Texas, including governmental entities, to adopt a policy regarding the maintenance, administration, and disposal of epinephrine auto-injectors.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 163 amends the Health and Safety Code to revise the applicability of statutory provisions relating to the possession and administration of epinephrine by certain entities as follows:

- repeals provisions subjecting specified entities to the applicability and excluding a governmental entity from the applicability; and
- excludes from the applicability an entity that is required by another law to adopt and implement a policy governing the maintenance, administration, and disposal of epinephrine auto-injectors by the entity.

The bill clarifies that the entities that may adopt a policy regarding the maintenance, administration, and disposal of epinephrine auto-injectors are entities in Texas, including a governmental entity.

H.B. 163 repeals Sections 773.0145(a) and (b), Health and Safety Code.

EFFECTIVE DATE

September 1, 2025.