

BILL ANALYSIS

Senate Research Center
89R31739 EAS-D

C.S.H.B. 163
By: Cortez et al. (Blanco)
Health & Human Services
5/22/2025
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 2014, 18-year-old Dillon Mueller tragically passed away after experiencing an anaphylactic reaction to a bee sting. This incident sparked legislative efforts in several states to expand access to life-saving epinephrine. Anaphylactic reactions claim approximately 1,500 lives each year and can be triggered by a variety of allergens, including food and insect stings. With over 33 million Americans living with potentially life-threatening allergies, a severe reaction can occur anywhere and at any time. Currently, only a few types of establishments, including amusement parks, child care facilities, and restaurants, are authorized to train and equip individuals to administer epinephrine auto-injectors, which limits timely responses during anaphylactic emergencies.

H.B. 163 aims to address this issue by authorizing any establishment in Texas, including governmental entities, to adopt policies for the maintenance, administration, and disposal of epinephrine auto-injectors. By expanding access and empowering more organizations to act during an anaphylaxis emergency, H.B. 163 seeks to increase the chances of saving lives in public spaces.

H.B. 163 amends Section 773.0145, Health and Safety Code, to allow entities in Texas, including governmental entities, to adopt a policy regarding the maintenance, administration and disposal of epinephrine auto-injectors.

Legislative History:

H.B. 163 passed the House 138-0.

Committee Substitute:

Changes the phrase "epinephrine auto-injectors" to "epinephrine delivery systems" to align with S.B. 1619, which modernized this term to include all FDA-approved epinephrine delivery methods.

C.S.H.B. 163 amends current law relating to the possession and administration of epinephrine delivery systems by certain entities.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 773.0145, Health and Safety Code, by adding Subsection (a-1) and amending Subsection (c), as follows:

(a-1) Provides that Section 773.0145 (Possession and Administration of Epinephrine by Certain Entities) does not apply to an entity that is required by another law to adopt and implement a policy governing the maintenance, administration, and disposal of epinephrine delivery systems by the entity.

(c) Authorizes an entity in this state, including a governmental entity, rather than an entity described by Subsection (a) (relating to providing that this section applies to

certain public spaces), to adopt a policy regarding the maintenance, administration, and disposal of epinephrine delivery systems, rather than epinephrine auto-injectors.

SECTION 2. Repealers: Sections 773.0145(a) (relating to providing that this section applies to certain public spaces) and (b) (relating to providing that this section does not apply to a governmental entity), Health and Safety Code.

SECTION 3. Effective date: September 1, 2025.