

By: Lucio

S.B. No. 1695

A BILL TO BE ENTITLED

AN ACT

relating to mosquito control districts established for an urgent public health purpose.

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

SECTION 1. Chapter 344, Health and Safety Code, is amended by designating Sections 344.001 through 344.007 as Subchapter A and adding a subchapter heading to read as follows:

SUBCHAPTER A. ESTABLISHMENT, OPERATION, AND DISSOLUTION OF  
MOSQUITO CONTROL DISTRICTS

SECTION 2. Chapter 344, Health and Safety Code, is amended by adding Subchapter B to read as follows:

SUBCHAPTER B. ESTABLISHMENT OF MOSQUITO CONTROL DISTRICTS FOR  
URGENT PUBLIC HEALTH PURPOSE

Sec. 344.051. DEFINITION. In this subchapter, "department" means the Department of State Health Services.

Sec. 344.052. LEGISLATIVE FINDINGS. The legislature finds that:

(1) scientists have concluded the Zika virus is a cause for microcephaly and other severe fetal brain defects;

(2) the department has reported that counties in the Gulf Coast region and on the international border with Mexico are at the highest risk in this state of developing localized cases of the Zika virus;

(3) Cameron County, which is located on the

international border with Mexico, has had as of December 2016 at least five documented cases of locally transmitted Zika virus;

(4) the powers of a mosquito control district may be effective in combating the increased risk of transmission of the Zika virus; and

(5) there is an urgent public health purpose for establishing a mosquito control district in Cameron and Hidalgo Counties and other high-risk counties to contain, eradicate, and treat problems associated with communicable diseases, including the Zika virus, the dengue virus, and the chikungunya virus, that are carried by mosquitos.

Sec. 344.053. APPLICABILITY OF SUBCHAPTER. This subchapter applies only to a county located on the international border with Mexico:

(1) for which the department has documented a locally transmitted case of the Zika virus; or

(2) that is adjacent to a county described by Subdivision (1).

Sec. 344.054. ESTABLISHMENT. A county described by Section 344.053 may establish an urgent public health mosquito control district on issuance of an order by the county judge or commissioners court of the county stating that an urgent public health purpose requires establishment of the district and ordering an election under Section [344.001](#).

Sec. 344.055. DUTIES OF COUNTY ESTABLISHING DISTRICT. A county that establishes an urgent public health mosquito control district under this subchapter shall:

1           (1) conduct surveillance of vectors carrying  
2 communicable disease;

3           (2) address the capacity of the county public health  
4 infrastructure, including by:

5                   (A) establishing and operating communicable  
6 disease and illness identification laboratories;

7                   (B) training and hiring public health personnel  
8 and research fellows;

9                   (C) matching state, federal, and private  
10 initiatives and efforts aimed at addressing and mitigating health  
11 and environmental conditions that contribute to the breeding,  
12 development, and spread of vectors carrying communicable disease;

13                   (D) testing county residents for communicable  
14 diseases and providing medical treatment to county residents who  
15 have communicable diseases; and

16                   (E) funding prevention measures and initiatives  
17 to protect county residents from vectors carrying communicable  
18 disease; and

19           (3) address the prevention and spread of vectors  
20 carrying communicable disease by funding efforts to inform people  
21 about the prevention and spread through community campaigns and  
22 regional information efforts.

23       Sec. 344.056. SPECIAL PUBLIC HEALTH ADVISORY COMMITTEE.

24       (a) In this section, "committee" means the special public health  
25 advisory committee established under this section.

26       (b) Notwithstanding Section 344.004, the commissioners  
27 court of a county that establishes an urgent public health mosquito

1 control district under this subchapter shall establish a special  
2 public health advisory committee.

3 (c) The committee is composed of seven members. The  
4 commissioners court shall appoint six members to the committee and  
5 the commissioner of state health services shall appoint one member  
6 to the committee. The members appointed by the commissioners court  
7 are as follows:

8 (1) one member who is the county public health  
9 administrator;

10 (2) two members who are public health administrators  
11 at the executive director level in the most populated  
12 municipalities in the county;

13 (3) one member who is a property taxpaying voter of the  
14 county; and

15 (4) two members who are county residents and pay  
16 property tax in the county.

17 (d) The county judge shall appoint one committee member as  
18 the presiding officer of the committee. The committee meets at the  
19 call of the presiding officer.

20 (e) A committee member serves without compensation.

21 (f) A committee member must take an oath of office  
22 prescribed by the commissioners court.

23 (g) The committee shall:

24 (1) make written recommendations to the commissioners  
25 court that the committee considers necessary to:

26 (A) address the urgent public health purpose of  
27 the mosquito control district established under this subchapter;

1 and

2 (B) implement the district's duties; and

3 (2) perform any other duty assigned to the committee  
4 by the commissioners court.

5 Sec. 344.057. MOSQUITO CONTROL PERSONNEL. The  
6 commissioners court of a county that establishes an urgent public  
7 health mosquito control district under this subchapter may appoint:

8 (1) a mosquito control engineer as provided by Section  
9 344.005; or

10 (2) any other public health professional the  
11 commissioners court determines is necessary to carry out the duties  
12 of the district and to address the recommendations of the special  
13 public health advisory committee established under Section  
14 344.056.

15 SECTION 3. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2017.