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 CONTROListricts

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 mosquitoes.

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) conduct surveillance of vectors carrying communicable disease;

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

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

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

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

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

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

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

Sec. 344.056. SPECIAL PUBLIC HEALTH ADVISORY COMMITTEE.

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

(b) Notwithstanding Section 344.004, the commissioners court of a county that establishes an urgent public health mosquito...
control district under this subchapter shall establish a special public health advisory committee.

(c) The commissioners court shall appoint seven members to the committee as follows:

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

(2) three members who are public health administrators at the executive director level in the most populated municipalities in the county; and

(3) three members who are property taxpaying voters of the county.

(d) The commissioner of state health services shall appoint one delegate to serve as a nonvoting, ex officio member of the committee.

(e) The county judge shall designate one committee member appointed under Subsection (c) as the presiding officer of the committee. The committee meets at the call of the presiding officer.

(f) A committee member serves without compensation.

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

(h) The committee shall:

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

(A) address the urgent public health purpose of the mosquito control district established under this subchapter; and
implement the district's duties; and

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

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

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

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

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