

## **BILL ANALYSIS**

Senate Research Center  
81R9700 NC-F

H.B. 3005  
By: Coleman (Whitmire)  
Criminal Justice  
5/17/2009  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, only certain individuals whose professions may put them at risk of contracting a sexually transmitted disease, through involuntary contact, may request that a local health authority or the Department of State Health Services order a testing of the person who may have exposed the individual.

The list of individuals who may request an order for testing include law enforcement officers, fire fighters, emergency medical service employees, and correctional officers and employees.

This bill will amend the Health and Safety Code, to add juvenile probation officers to the list of employees who may request involuntary testing of persons suspected of exposing them to certain diseases.

H.B. 3005 amends current law relating to the mandatory testing of persons suspected of exposing employees of a juvenile probation department to certain diseases.

[**Note:** While the statutory reference in this bill is to the Texas Department of Health (TDH), the following amendments affect the Department of State Health Services, as the successor agency to TDH.]

### **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 81.050(b), Health and Safety Code, to authorize a person whose occupation or whose volunteer service as an employee of a juvenile probation department to request the Texas Department of Health or a health authority to order testing of another person who may have exposed the person to a reportable disease, including HIV infection.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2009.