

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 3366
By: Klick (Kolkhorst)
Health & Human Services
5/20/2021
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, certain orders regarding infectious diseases must be delivered to a person suspected or confirmed to have or to have been exposed to an infectious disease by registered or certified mail or in person. It has been suggested that this is an administrative burden and may needlessly expose other individuals to a potentially infected person.

H.B. 3366 seeks to address these issues by providing for the electronic delivery of certain documents under the Communicable Disease Prevention and Control Act.

(Original Author's / Sponsor's Statement of Intent)

C.S.H.B. 3366 amends current law relating to authorizing the electronic transmission of certain communications related to the prevention of communicable diseases.

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 Subchapter A, Chapter 81, Health and Safety Code, by adding Section 81.016, as follows:

Sec. 81.016. E-MAIL DELIVERY. (a) Authorizes any documents required to be delivered in person or sent by registered or certified mail under Chapter 81 (Communicable Diseases), except as provided by Subsection (b), to be sent by e-mail with a read receipt requested.

(b) Requires the Department of State Health Services or a health authority, as applicable, to electronically issue a control measure order under Chapter 81, to obtain the consent of the individual to whom the order is issued.

SECTION 2. Amends Sections 81.083(c) and (l), Health and Safety Code, as follows:

(c) Requires that an order under Section 81.083 (Application of Control Measures to Individual) be in writing and be delivered personally, by registered or certified mail, or by e-mail with a read receipt requested to the individual or to the individual's parent, legal guardian, or managing conservator if the individual is a minor. Makes nonsubstantive changes.

(l) Makes conforming and nonsubstantive changes to this subsection.

SECTION 3. Amends Section 81.084(b), Health and Safety Code, to make conforming and nonsubstantive changes.

SECTION 4. Amends Section 81.155(b), Health and Safety Code, to make conforming and nonsubstantive changes.

SECTION 5. Amends Subchapter G, Chapter 81, Health and Safety Code, by adding Section 81.213, as follows:

Sec. 81.213. ELECTRONIC OR FAXED SIGNATURE. Requires that, for the purposes of Subchapter G (Court Orders for Management of Persons with Communicable Diseases), an electronic signature, as defined by Section 166.002 (Definitions), or a faxed signature have the same force and effect as the use of a manual signature.

SECTION 6. Effective date: September 1, 2021.