

## **BILL ANALYSIS**

Senate Research Center

H.B. 1012  
By: Counts (Duncan)  
Intergovernmental Relations  
5-12-97  
Engrossed

### **DIGEST**

Currently, home-rule municipalities in the western region of the state are not adequately served by the Texas Department of Health (TDH) due to distance and travel time from cities where the health authority is located. For example, the city of Big Spring currently contracts with TDH to provide the services of the health authority and all public health related matters, but the health authority (a licensed physician) is located in El Paso, Texas, which is 350 miles away. TDH will only provide the on-site services of the health authority one week a year for food service inspections. Many environmental health problems are neglected due to lack of local authority to administer the Texas Health and Safety Code. The appointment of a local health authority would be a burden on the Big Spring city budget; however, the city currently employs a registered professional engineer who could perform these duties at no additional cost. Removing the population restriction from the current Texas Health and Safety Code would allow home-rule municipalities to use a registered professional engineer to enforce the code on a timely basis. H.B. 1012 removes the population restriction and authorizes an environmental health officer to be appointed to enforce this chapter in any home-rule municipality.

### **PURPOSE**

As proposed, H.B. 1012 establishes provisions regarding appointment of an environmental health officer in a home-rule municipality.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 341.082(a), Health and Safety Code, to authorize an environmental health officer to be appointed to enforce this chapter in a home-rule municipality. Deletes existing text regarding a home-rule municipality with a population of at least one million.

SECTION 2. Emergency clause.  
Effective date: upon passage.