

## **BILL ANALYSIS**

Senate Research Center

S.B. 1716  
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Health & Human Services  
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As Filed

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

Currently, local law enforcement agencies use portable X-ray machines for bomb detection screening of suspicious packages or objects. H.B. 2292, passed by the 78th Legislature, required these law enforcement agencies to pay fees to cover the state's cost to register and inspect these machines. In more rural areas of the state, larger local law enforcement agencies are often required to travel to smaller communities which do not have X-ray machines to assist other agencies in identifying and examining suspicious packages without any state funding.

As proposed, S.B. 1716 exempts local law enforcement agencies from paying for the licensing and registration of X-ray machines used to screen packages or other suspicious packages. These machines would still be required to be registered with and inspected by the Department of State Health Services.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

[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 (DSHS), as the successor agency to TDH.]

SECTION 1. Amends Section 401.301, Health and Safety Code, by adding Subsection (f), as follows:

(f) Prohibits TDH from assessing a fee on a local law enforcement agency for the licensing and registration of an X-ray machine that is used to screen packages or other objects the agency suspects may contain an explosive or other item that would pose a danger to public health and safety, notwithstanding any other provision of this section. Provides that a local law enforcement agency is subject to the licensing and registration requirements of this chapter (Radioactive Materials and Other Sources of Radiation), except as otherwise provided by this subsection.

SECTION 2. Makes application of Section 401.301, Health and Safety Code, as amended by this Act, prospective.

SECTION 3. Effective date: September 1, 2007.