

## **BILL ANALYSIS**

Senate Research Center  
84R13206 SCL-D

H.B. 819  
By: Sheffield (Zaffirini)  
Health & Human Services  
5/7/2015  
Engrossed

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

While it previously was thought that only one species of mosquito carried the West Nile virus, recent studies indicate that 65 or more mosquito species may carry this virus. What's more, other mosquito species carry numerous potentially life-threatening viruses. Current law only accounts for the danger of one specific species of mosquito, *Culex quinquefasciatus*, as a public health nuisance in a collection of water. Accordingly, many small counties are unnecessarily spending precious state resources in testing mosquito larvae for only one species of mosquito.

H.B. 819 strikes *Culex quinquefasciatus* as the only mosquito species to be considered a public health nuisance in a collection of water. This bill would allow local public health departments to conserve dollars used to test mosquito larvae and allow them to remove all mosquito species that threaten public health.

H.B. 819 amends current law relating to the definition of a public health nuisance; amending provisions subject to a criminal penalty.

### **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 341.011, Health and Safety Code, as follows:

Sec. 341.011. NUISANCE. Provides that each of the following is a public health nuisance:

(1)-(6) Makes no change to these subdivisions;

(7) a collection of water in which mosquitoes are breeding in the limits of a municipality or a collection of water that is a breeding area for mosquitoes, rather than a breeding area for *Culex quinquefasciatus* mosquitoes, that can transmit diseases regardless of the collection's location other than a location or property where activities meeting the definition of Section 11.002(12)(A) (defining "agriculture" as cultivating the soil to produce crops for human food, animal feed, or planting seed or for the production of fibers), Water Code, occur;

(8)-(12) Makes no change to these subdivisions.

SECTION 2. Effective date: upon passage or September 1, 2015.