

BILL ANALYSIS

Senate Research Center

S.B. 1673
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Concerns have been raised that undocumented immigrants apprehended at the border have been released into local communities, even if these individuals have tested positive for COVID-19. Meanwhile, it has been stated that none of these individuals were required to undergo quarantine. Meanwhile, "non-essential" travel for law-abiding citizens is currently restricted at both the Mexican and Canadian borders.

Over the course of the past year, Texas citizens have been subjected to burdensome mandates as result of the government's overbearing response to the COVID-19 pandemic. These mandates have caused Texans to suffer economic and personal hardships, as they have resulted in isolation for many individuals, as well as significantly reduced commercial activity.

S.B. 1673 requires that public health directives issued by the governor or public health entities, including the Texas Department of State Health Services, must not be any more stringent than those issued by the United States Immigration and Customs Enforcement for undocumented immigrants.

As proposed, S.B. 1673 amends current law relating to limitations on public health directives issued during a state of disaster or outbreak of a communicable disease.

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 B, Chapter 418, Government Code, by adding Section 418.0165, as follows:

Sec. 418.0165. PUBLIC HEALTH DIRECTIVES. Prohibits the governor from issuing a public health directive, as the governor determines necessary to address a declared state of disaster, that is more stringent than any public health directive for undocumented immigrants issued by United States Immigration and Customs Enforcement (ICE).

SECTION 2. Amends Subchapter A, Chapter 81, Health and Safety Code, by adding Section 81.016, as follows:

Sec. 81.016. PUBLIC HEALTH DIRECTIVES. Prohibits the Department of State Health Services (DSHS) or a public health authority from issuing a public health directive, as DSHS or the public health authority determines necessary to address an outbreak of a communicable disease or public health disaster, that is more stringent than any public health directive for undocumented immigrants issued by ICE.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: upon passage or September 1, 2021.