

By: Schaefer

H.B. No. 2097

A BILL TO BE ENTITLED

AN ACT

1
2 relating to government authority to require a person to wear a
3 mask or personal protective equipment during a disaster.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 418.012, Government Code, is redesignated
6 as 418.012(a) and amended by adding Subsection (b) to read as
7 follows:

8 Sec. 418.012. EXECUTIVE ORDERS. (a) Under this chapter, the
9 governor may issue executive orders, proclamations, and
10 regulations and amend or rescind them. Executive orders,
11 proclamations, and regulations have the force and effect of law.

12 (b) The governor may not issue an executive order,
13 proclamation, or regulation that requires a person to wear a mask
14 or personal protective equipment unless expressly provided by
15 statute.

16 SECTION 2. Section 418.108, Government Code, is amended by
17 adding Subsection (j) to read as follows:

18 (j) A local official may not issue an executive order or
19 proclamation that requires a person to wear a mask or personal
20 protective equipment unless expressly provided by statute.

21 SECTION 3. The change in law made by this Act applies to
22 executive orders, proclamations, and regulations that are
23 currently in effect, or go into effect on or after the effective
24 date of this Act.

1 SECTION 4. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2021.