TEXAS LEGISLATIVE COUNCIL

P.O. Box 12128, Capitol Station
Austin, Texas 78711-2128
Telephone: 512/463-1155

DAN PATRICK
Lieutenant Governor
Joint Chair

JEFF ARCHER
Executive Director

DUSTIN BURROWS
Speaker of the House
Joint Chair

M E M O R A N D U M

TO: Reviewers of Proposed Nonsubstantive Revision of Chapter 161, Health and Safety Code

FROM: Sarah Akbar
Chief Revisor, Health and Safety Code Project

DATE: September 11, 2026

SUBJECT: Review of Proposed Nonsubstantive Revision of Chapter 161, Health and Safety Code

REVIEW OF PROPOSED NONSUBSTANTIVE REVISIONS OF TEXAS STATUTES

The Texas Legislative Council encourages examination and review of proposed nonsubstantive revisions of Texas statutes by any interested person and appreciates all comments on the revisions. The council staff will review all comments and make any changes necessary to ensure that the code legislation is accurate and makes no substantive changes to the current law.

BACKGROUND INFORMATION

Codification Duties of the Texas Legislative Council

The Texas Legislative Council has a statutory duty under Section 323.007, Government Code, to carry out a complete nonsubstantive revision of Texas statutes. The purpose of the ongoing statutory revision process is to make the statutes "more accessible, understandable, and usable" without altering the sense, meaning, or effect of the law. This includes organizing the statutes into a more logical order and eliminating repealed, duplicative, expired, and other ineffective provisions. The council drafting attorneys use a numbering system that accommodates future expansion of the law. Additionally, the attorneys endeavor to improve the draftsmanship of the statutes, where practicable, with modern American English.

Health and Safety Code Project

As part of its continuing statutory revision program, the council has engaged in a nonsubstantive revision of Chapter 161, Health and Safety Code, which governs state public health provisions.

As they are completed, the preliminary drafts of the chapters included in the proposed revision of Chapter 161, Health and Safety Code, will be made available for review on the council's Internet website, https://tlc.texas.gov. Requests for hard copies of one or more of the chapters can be submitted to Ms. Shalyn Bridges at the above address or by e-mail at Shalyn.Bridges@tlc.texas.gov.

REVIEWING INFORMATION

The preliminary drafts of the proposed chapters of the revision of Chapter 161, Health and Safety Code, are arranged to facilitate review. Each section of law in a proposed chapter provides the Revised Law, which is the text of the proposed code language to be enacted, followed by the Source Law, which is the text of the current law the drafting attorney has revised. When an explanation of either the revised law or source law is needed, a Revisor's Note follows. The substance of the source law for a code section is included in the revised law or the reason for its omission is explained in a revisor's note.

In reviewing the proposed revision, the reader should keep in mind the following guidelines:

(1) The Code Construction Act (Chapter 311, Government Code) applies to the code. That act sets out principles of statutory construction applicable to codes and provides definitions for commonly used terms.

(2) The council drafting attorneys use modern American English as practicable in revising the statutes. In addition, the present tense is preferred to the past or future tense, the active voice is preferred to the passive voice, and the singular is preferred to the plural.

(3) The revision is nonsubstantive. Accordingly, the council staff is not authorized to improve or otherwise change the substance of the current law. The sole purpose of the project is to compile the law related to the subject matter, organize it in a logical fashion, and rewrite it without altering its meaning or legal effect. If the source law for a code provision is ambiguous and the ambiguity cannot be resolved without substantive effect, the ambiguity is preserved. In addition, the code project does not attempt to reflect court decisions that have not been approved by the Texas court of last resort or the possible effect of recent federal legislation.

(4) If the bill containing the proposed revision is enacted by the 90th Legislature, the effective date of the revised provisions will be April 1, 2029. Therefore, the proposed code chapters do not include source law provisions that expire on their own terms prior to that date.

COMMENTS AND SUGGESTIONS

The council welcomes comments and questions from interested parties after their review of the proposed chapters and is happy to address any concerns that arise. After considering comments and suggestions, the council will incorporate suggested changes as appropriate.

I am the project manager for this revision and can be reached by telephone at (512) 463-1151 or by e-mail at Sarah.Akbar@tlc.texas.gov. Please contact me directly with your comments regarding the revision and any questions you have. To ensure that the council is able to incorporate any necessary changes in a timely manner, please provide comments not later than Wednesday, December 30, 2026.

26L36