

AN ACT

relating to the payment by the state or a county of costs for certain mental health hearings or proceedings.

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

SECTION 1. Sections 571.018(h) and (j), Health and Safety Code, are amended to read as follows:

(h) The state or a county may not pay any costs for a patient committed to a private mental hospital, other than a filing fee or other cost associated with a hearing or proceeding under this subtitle, unless:

- (1) a public facility is not available; and
- (2) the commissioners court of the county authorizes the payment, if appropriate.

(j) The judge of a court conducting a hearing or proceeding under this subtitle shall order the clerk of the court to refund court costs paid or advanced for a person by ~~When~~ an inpatient mental health facility as defined under Section 571.003(9)(A), (B), (D), or (E) on the filing of ~~[571.003(9)(B) or (E) files]~~ an affidavit with the clerk of the court certifying that:

- (1) the facility has received no compensation or reimbursement for the treatment of the person;
- (2) the facility provided treatment for the person under a contract with a local mental health authority; or
- (3) the facility provided treatment for the person and

1 only received reimbursement under Medicaid [~~it has received no~~  
2 ~~compensation or reimbursement for the treatment of a person for~~  
3 ~~whom court costs have been paid or advanced, the judge of the~~  
4 ~~probate court shall order the clerk of the court to refund the~~  
5 ~~costs~~].

6 SECTION 2. This Act takes effect September 1, 2023.

---

President of the Senate

---

Speaker of the House

I certify that H.B. No. 4085 was passed by the House on May 3, 2023, by the following vote: Yeas 145, Nays 0, 1 present, not voting.

---

Chief Clerk of the House

I certify that H.B. No. 4085 was passed by the Senate on May 21, 2023, by the following vote: Yeas 28, Nays 3.

---

Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

---

Governor