

By: Kolkhorst

S.B. No. 944

A BILL TO BE ENTITLED

AN ACT

relating to the commitment order for individuals with intellectual disabilities who are committed to state supported living centers.

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

SECTION 1. Section 593.052(a), Health and Safety Code, is amended to read as follows:

(a) A proposed resident may not be committed to a residential care facility unless:

(1) the proposed resident is a person with an intellectual disability;

(2) either:

(A) evidence is presented showing that because of the proposed resident's intellectual disability, the proposed resident:

(i) [~~(A)~~] represents a substantial risk of physical impairment or injury to the proposed resident or others; or

(ii) [~~(B)~~] is unable to provide for and is not providing for the proposed resident's most basic personal physical needs; or

(B) the guardian of the proposed resident or, if the proposed resident is a minor, the parent of the proposed resident petitions the court to issue a commitment order;

(3) the proposed resident cannot be adequately and

1 appropriately habilitated in an available, less restrictive
2 setting; and

3 (4) the residential care facility provides
4 habilitative services, care, training, and treatment appropriate
5 to the proposed resident's needs.

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