

By: Grusendorf, Brown of Kaufman, Hupp,
et al.

H.B. No. 320

A BILL TO BE ENTITLED

AN ACT

relating to the refusal to administer or consent to the
administration of certain psychiatric or psychological treatment
to a child.

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

SECTION 1. Subchapter A, Chapter 261, Family Code, is
amended by adding Section 261.005 to read as follows:

Sec. 261.005. REFUSAL OF PSYCHIATRIC OR PSYCHOLOGICAL
TREATMENT OF CHILD. The refusal of a parent, guardian, or managing
or possessory conservator of a child to administer or consent to the
administration of a psychotropic drug to the child, or to consent to
any other psychiatric or psychological treatment of the child, does
not by itself constitute neglect under this subtitle unless the
refusal to consent presents an imminent physical risk of serious
harm to the child.

SECTION 2. This Act takes effect immediately if it receives
a vote of two-thirds of all the members elected to each house, as
provided by Section 39, Article III, Texas Constitution. If this
Act does not receive the vote necessary for immediate effect, this
Act takes effect September 1, 2003.