

By: Duncan

S.B. No. 591

A BILL TO BE ENTITLED

AN ACT

relating to the composition of the Texas Council on Offenders with  
Mental Impairments.

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

SECTION 1. Section 614.002(b), Health and Safety Code, is  
amended to read as follows:

(b) The governor shall appoint, with the advice and consent  
of the senate:

(1) three [~~four~~] at-large members who are experienced  
in conducting competency evaluations in this state, each of whom is  
either:

(A) a licensed physician certified by the  
American Board of Psychiatry and Neurology, Inc., with added or  
special qualifications in forensic psychiatry; or

(B) a licensed psychologist who has a doctoral  
degree in psychology and is certified by the American Board of  
Professional Psychology in forensic psychology [~~have expertise in  
mental health, mental retardation, or developmental disabilities,  
one of whom must be a psychiatrist~~];

(2) one at-large member who is the judge of a court  
with criminal jurisdiction;

(3) one at-large member who is a prosecuting attorney;

(4) one at-large member who is a criminal defense  
attorney;

1           (5) two [~~one~~] at-large members who have expertise in  
2 either the field of health and human services or the field of higher  
3 education [~~member from an established pretrial services agency~~];  
4 and

5           (6) one at-large member who has expertise in the  
6 criminal justice system.

7           SECTION 2. (a) This Act takes effect September 1, 2003.

8           (b) The changes in law made by this Act in the  
9 qualifications of the members of the Texas Council on Offenders  
10 with Mental Impairments do not affect the entitlement of a person  
11 serving as a member of the council immediately before September 1,  
12 2003, to continue to carry out the functions of the person's office  
13 for the remainder of the person's term. The changes in law apply  
14 only to a person appointed on or after September 1, 2003. This Act  
15 does not prohibit a person who is a member of the Texas Council on  
16 Offenders with Mental Impairments immediately before September 1,  
17 2003, from being reappointed as a council member if the person has  
18 the qualifications required for the position under Section  
19 614.002(b), Health and Safety Code, as amended by this Act.