

BILL ANALYSIS

H.B. 1062
By: Naishtat
Judiciary
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently the Health and Safety Code requires courts having jurisdiction over emergency detention or court ordered treatment proceedings of a chemically dependent person to be open at all times for such proceedings.

HB 1062 allows courts with jurisdiction over emergency detention or court ordered treatment proceedings to be open during normal business hours, but requires the probate judge to be available to conduct proceedings at all times at the request of a detainee or proposed patient subject to court ordered treatment.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The bill amends Section 462.0025 of the Health and Safety Code to require the courts to be open only during normal business hours. Subsection (b) requires the probate judge or magistrate to be available at all times at the request of a person taken into custody, detained or proposed to be made a patient under court ordered treatment.

EFFECTIVE DATE

Immediately if necessary vote received, otherwise September 1, 2005