

BILL ANALYSIS

H.B. 2194
By: Madden
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The 78th Legislature enacted legislation which made Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) responsible for reviewing competency evaluations performed on offenders for compliance with state requirements. HB 2194 would amend state law to clearly specify the content, format and documentation of evaluations submitted to TCOOMMI to enhance the review process.

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

HB 2194 would require the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) to approve and make available a standard competency examination reporting form for use by experts in criminal cases. The bill would require the courts to have experts use the approved competency form and then forward the report to TCOOMMI upon its completion. TCOOMMI with assistance from committee members under Section 614.002 (b) shall approve an electronic format of the form for use by experts in reporting competency examination results under Chapter 46B of the Code of Criminal Procedure.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2005.