

BILL ANALYSIS

Senate Research Center

S.B. 348
By: Wentworth
Jurisprudence
5/31/2005
Enrolled

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

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.

S.B. 348 allows courts with jurisdiction over emergency detention or court-ordered treatment proceedings of a chemically dependent person to be open during normal business hours, but requires the probate judge or magistrate to be available at all times at the request of the detainee or proposed patient who is the subject of emergency detention or court-ordered treatment proceedings.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 462.0025, Health and Safety Code, as follows:

Sec. 462.0025. COURT HOURS. (a) Creates this subsection from existing text. Requires the probate court or court having probate jurisdiction to be open for proceedings under this chapter during normal business hours, rather than at all times.

(b) Requires the probate judge or magistrate to be available at all times at the request of a person taken into custody or detained under Subchapter C or a proposed patient under Subchapter D.

SECTION 2. Effective date: upon passage or September 1, 2005.