

By: Coleman

H.B. No. 2518

Substitute the following for H.B. No. 2518:

By: Hartnett

C.S.H.B. No. 2518

A BILL TO BE ENTITLED

AN ACT

relating to the requirements of a mental health court program.

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

SECTION 1. Section 616.003, Health and Safety Code, is amended to read as follows:

Sec. 616.003. PROGRAM. A mental health court program established under Section 616.002:

(1) may handle all issues arising under Articles 16.22 and ~~[7]~~ 17.032, Code of Criminal Procedure, and Chapter 46B [46.02], Code of Criminal Procedure; and

(2) must:

(A) ensure a person eligible for the program is provided legal counsel before volunteering to proceed through the mental health court program and while participating in the program;

(B) allow a person, if eligible for the program, to choose whether to proceed through the mental health court program or proceed through the regular criminal justice system;

(C) allow a participant to withdraw from the mental health court program at any time before a trial on the merits has been initiated;

(D) provide a participant with a court-ordered individualized treatment plan indicating the services that will be provided to the participant; and

(E) ensure that the jurisdiction of the mental

1 health court extends at least six months but does not extend beyond
2 the probationary period for the offense charged if the probationary
3 period is longer than six months.

4 SECTION 2. This Act takes effect September 1, 2005.