

By: Martinez

H.B. No. 2967

A BILL TO BE ENTITLED

AN ACT

relating to the transportation of certain mental health patients.

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

SECTION 1. Section 574.045(a), Health and Safety Code, is amended to read as follows:

(a) The court may authorize, in the following order of priority, the transportation of a committed patient or a patient detained under Section 573.022 or 574.023 to the designated mental health facility by:

(1) a relative or other responsible person who has a proper interest in the patient's welfare and who receives no remuneration, except for actual and necessary expenses;

(2) the facility administrator of the designated mental health facility, unless [~~if~~] the administrator notifies the court that facility personnel are not available to transport the patient;

(3) [~~a special officer for mental health assignment certified under Section 1701.404, Occupations Code,~~

~~(4)]~~ a representative of the local mental health authority, who shall be reimbursed by the county;

(4) a special officer for mental health assignment certified under Section 1701.404, Occupations Code, who shall be reimbursed by the Department of State Health Services from money appropriated for that purpose, or if money is not appropriated for

1 that purpose, as provided by Section 571.018; or

2 (5) the sheriff or constable, if no person is
3 available under Subdivision (1), (2), (3), or (4), who shall be
4 reimbursed by the Department of State Health Services from money
5 appropriated for that purpose, or if money is not appropriated for
6 that purpose, as provided by Section 571.018.

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