

By: Pena

H.B. No. 3092

A BILL TO BE ENTITLED

AN ACT

relating to certain requirements for filing an application for court-ordered chemical dependency treatment services for an adult.

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

SECTION 1. Section 462.062, Health and Safety Code, is amended by adding a new Subsection (a) and amending and relettering existing Subsection (a) as Subsection (a-1) to read as follows:

(a) In this section, "member of the person's family" means a family member who is related to the person within the second degree by affinity or consanguinity.

(a-1) [-(a)] A county or district attorney or other adult may file a sworn written application for court-ordered treatment of another person. The [Only the] district or county attorney or a member of the person's family may file an application that is not accompanied by a certificate of medical examination for chemical dependency.

SECTION 2. Section 462.062, Health and Safety Code, as amended by this Act, applies only to an application for court-ordered treatment for chemical dependency that is filed on or after the effective date of this Act. An application for court-ordered treatment for chemical dependency that is filed before the effective date of this Act is governed by the law in effect when the application was filed, and that law is continued in effect for that purpose.

1           SECTION 3.   This Act takes effect September 1, 2005.