

By: Duncan

S.B. No. 307

A BILL TO BE ENTITLED

AN ACT

relating to a mental health court program.

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

SECTION 1. Section 616.002, Health and Safety Code, is amended to read as follows:

Sec. 616.002. AUTHORITY TO ESTABLISH PROGRAM. The commissioners court of a county may establish a mental health court program for persons who:

(1) have been arrested for or charged with a misdemeanor or felony; and

(2) are suspected by a law enforcement agency or a court of having a mental illness or mental retardation.

SECTION 2. Section 616.003, Health and Safety Code, is amended to read as follows:

Sec. 616.003. PROGRAM. (a) A mental health court program established under Section 616.002 may handle all issues arising under Articles 16.22 and [7] 17.032 [7] and Chapter 46B [~~46.02~~], Code of Criminal Procedure.

(b) The issues shall be handled by a magistrate, as designated by Article 2.09, Code of Criminal Procedure, who is part of a mental health court program established under Section 616.002.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2005.