

1-1 By: Duncan S.B. No. 307  
1-2 (In the Senate - Filed January 31, 2005; February 7, 2005,  
1-3 read first time and referred to Committee on Criminal Justice;  
1-4 March 29, 2005, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 5, Nays 0; March 29, 2005,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 307 By: Seliger

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to a mental health court program.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 616.002, Health and Safety Code, is  
1-13 amended to read as follows:

1-14 Sec. 616.002. AUTHORITY TO ESTABLISH PROGRAM. The  
1-15 commissioners court of a county may establish a mental health court  
1-16 program for persons who:

1-17 (1) have been arrested for or charged with a  
1-18 misdemeanor or felony; and

1-19 (2) are suspected by a law enforcement agency or a  
1-20 court of having a mental illness or mental retardation.

1-21 SECTION 2. Section 616.003, Health and Safety Code, is  
1-22 amended to read as follows:

1-23 Sec. 616.003. PROGRAM. (a) A mental health court program  
1-24 established under Section 616.002 may handle all issues arising  
1-25 under Articles 16.22 and [7] 17.032 [7] and Chapter 46B [46.02],  
1-26 Code of Criminal Procedure.

1-27 (b) The issues shall be handled by a magistrate, as  
1-28 designated by Article 2.09, Code of Criminal Procedure, who is part  
1-29 of a mental health court program established under Section 616.002.

1-30 SECTION 3. This Act takes effect immediately if it receives  
1-31 a vote of two-thirds of all the members elected to each house, as  
1-32 provided by Section 39, Article III, Texas Constitution. If this  
1-33 Act does not receive the vote necessary for immediate effect, this  
1-34 Act takes effect September 1, 2005.

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