

A BILL TO BE ENTITLED

AN ACT

relating to the use of an electronic broadcast system to conduct certain hearings regarding court-ordered mental health services.

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

SECTION 1. The heading to Subchapter I, Chapter 574, Health and Safety Code, is amended to read as follows:

SUBCHAPTER I. USE OF VIDEO TECHNOLOGY [~~TESTIMONY BY CLOSED-CIRCUIT VIDEO TELECONFERENCING~~] AT PROCEEDINGS

SECTION 2. Subchapter I, Chapter 574, Health and Safety Code, is amended by adding Section 574.203 to read as follows:

Sec. 574.203. USE OF ELECTRONIC BROADCAST SYSTEM IN CERTAIN PROCEEDINGS UNDER THIS CHAPTER. (a) A hearing may be conducted in accordance with this chapter but by using an electronic broadcast system if:

(1) written consent to the use of an electronic broadcast system for the hearing is filed with the court by:

(A) the proposed patient or the attorney representing the proposed patient; and

(B) the county or district attorney, as appropriate;

(2) the electronic broadcast system provides for a simultaneous, compressed full motion video, and interactive communication of image and sound among the judge, the county or district attorney, the attorney representing the proposed patient,

1 and the proposed patient; and

2 (3) on request of the proposed patient or the attorney
3 representing the proposed patient, the proposed patient and the
4 attorney can communicate privately without being recorded or heard
5 by the judge or the county or district attorney.

6 (b) On the motion of the patient or proposed patient, the
7 attorney representing the patient or proposed patient, or the
8 county or district attorney or on the court's own motion, the court
9 may terminate an appearance made through an electronic broadcast
10 system at any time during the appearance and require an appearance
11 by the patient or proposed patient in open court.

12 (c) The court shall provide for a recording of the
13 communication to be made and preserved until any appellate
14 proceedings have been concluded. The patient or proposed patient
15 may obtain a copy of the recording on payment of a reasonable amount
16 to cover the costs of reproduction or, if the patient or proposed
17 patient is indigent, the court shall provide a copy to the patient
18 or proposed patient without charging a cost for the copy.

19 SECTION 3. This Act takes effect September 1, 2007.