

AN ACT

relating to the filing of writs of habeas corpus in mental health cases.

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

SECTION 1. Section 576.003, Health and Safety Code, is amended to read as follows:

Sec. 576.003. WRIT OF HABEAS CORPUS. A petition for a writ of habeas corpus must be filed in the court of appeals for the county in which the order is entered. [~~This subtitle does not limit a person's right to obtain a writ of habeas corpus.~~]

SECTION 2. The change in law made by this Act to Section 576.003, Health and Safety Code, applies only to an application for a writ of habeas corpus filed on or after the effective date of this Act. An application for a writ of habeas corpus filed before the effective date of this Act is governed by the law in effect before the effective date of this Act, and the former law is continued in effect for that purpose.

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 Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I certify that H.B. No. 2096 was passed by the House on May 11, 2011, by the following vote: Yeas 148, Nays 1, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2096 was passed by the Senate on May 25, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor