

By: Burkett

H.B. No. 1856

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the authority of a mental health facility to require a  
3 peace officer to transport a person apprehended for emergency  
4 detention to a medical facility to receive a medical evaluation  
5 before being transported to the mental health facility.

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

7 SECTION 1. Section 573.001, Health and Safety Code, is  
8 amended by adding Subsection (d-1) to read as follows:

9 (d-1) A mental health facility described by Subsection (d)  
10 may not require a peace officer to transport a person taken into  
11 custody under this section to a medical facility to receive a  
12 medical evaluation before the peace officer transports the person  
13 to the mental health facility.

14 SECTION 2. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2013.