

1-1 By: Coleman (Senate Sponsor - Schwertner) H.B. No. 3474
 1-2 (In the Senate - Received from the House May 6, 2015;
 1-3 May 7, 2015, read first time and referred to Committee on Health
 1-4 and Human Services; May 22, 2015, reported adversely, with
 1-5 favorable Committee Substitute by the following vote: Yeas 8,
 1-6 Nays 1; May 22, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12		X		
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 3474 By: Kolthorst

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to issues affecting counties and other governmental
 1-22 entities.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Effective September 1, 2015, Article 55.01(a),
 1-25 Code of Criminal Procedure, is amended to read as follows:

1-26 (a) A person who has been placed under a custodial or
 1-27 noncustodial arrest for commission of either a felony or
 1-28 misdemeanor is entitled to have all records and files relating to
 1-29 the arrest expunged if:

1-30 (1) the person is tried for the offense for which the
 1-31 person was arrested and is:

1-32 (A) acquitted by the trial court, except as
 1-33 provided by Subsection (c); or

1-34 (B) convicted and subsequently:

1-35 (i) pardoned for a reason other than that
 1-36 described by Subparagraph (ii); or

1-37 (ii) pardoned or otherwise granted relief
 1-38 on the basis of actual innocence with respect to that offense, if
 1-39 the applicable pardon or court order clearly indicates on its face
 1-40 that the pardon or order was granted or rendered on the basis of the
 1-41 person's actual innocence; or

1-42 (2) the person has been released and the charge, if
 1-43 any, has not resulted in a final conviction and is no longer pending
 1-44 and there was no court-ordered community supervision under Article
 1-45 42.12 for the offense, unless the offense is a Class C misdemeanor,
 1-46 provided that:

1-47 (A) regardless of whether any statute of
 1-48 limitations exists for the offense and whether any limitations
 1-49 period for the offense has expired, an indictment or information
 1-50 charging the person with the commission of a misdemeanor offense
 1-51 based on the person's arrest or charging the person with the
 1-52 commission of any felony offense arising out of the same
 1-53 transaction for which the person was arrested:

1-54 (i) has not been presented against the
 1-55 person at any time following the arrest, and:

1-56 (a) at least 180 days have elapsed
 1-57 from the date of arrest if the arrest for which the expunction was
 1-58 sought was for an offense punishable as a Class C misdemeanor and if
 1-59 there was no felony charge arising out of the same transaction for
 1-60 which the person was arrested;

2-1 (b) at least one year has elapsed from
2-2 the date of arrest if the arrest for which the expunction was sought
2-3 was for an offense punishable as a Class B or A misdemeanor and if
2-4 there was no felony charge arising out of the same transaction for
2-5 which the person was arrested;

2-6 (c) at least three years have elapsed
2-7 from the date of arrest if the arrest for which the expunction was
2-8 sought was for an offense punishable as a felony or if there was a
2-9 felony charge arising out of the same transaction for which the
2-10 person was arrested; or

2-11 (d) the attorney representing the
2-12 state certifies that the applicable arrest records and files are
2-13 not needed for use in any criminal investigation or prosecution,
2-14 including an investigation or prosecution of another person; or

2-15 (ii) if presented at any time following the
2-16 arrest, was dismissed or quashed, and the court finds that the
2-17 indictment or information was dismissed or quashed because:

2-18 (a) the person was arrested for a
2-19 Class B or Class C misdemeanor and subsequently completed a
2-20 veterans treatment court program under Chapter 124, Government
2-21 Code, or former law;

2-22 (b) the person completed a pretrial
2-23 intervention program authorized under Section 76.011, Government
2-24 Code, or, if the person was arrested for an offense punishable as a
2-25 Class A misdemeanor or any higher category of offense, a veterans
2-26 treatment court program under Chapter 124, Government Code, or
2-27 former law;

2-28 (c) ~~because~~ the presentment had
2-29 been made because of mistake, false information, or other similar
2-30 reason indicating absence of probable cause at the time of the
2-31 dismissal to believe the person committed the offense; or

2-32 (d) ~~[, or because]~~ the indictment or
2-33 information was void; or

2-34 (B) prosecution of the person for the offense for
2-35 which the person was arrested is no longer possible because the
2-36 limitations period has expired.

2-37 SECTION 2. Effective September 1, 2015, Section 1a, Article
2-38 55.02, Code of Criminal Procedure, is amended by adding Subsection
2-39 (a-1) to read as follows:

2-40 (a-1) A trial court dismissing a case of a person arrested
2-41 for a Class B or Class C misdemeanor, following the person's
2-42 successful completion of a veterans treatment court program created
2-43 under Chapter 124, Government Code, or former law, if the trial
2-44 court is a district court, or a district court in the county in
2-45 which the trial court is located shall enter an order of expunction
2-46 for a person entitled to expunction under Article
2-47 55.01(a)(2)(A)(ii)(a) not later than the 30th day after the date
2-48 the court dismisses the case or receives the information regarding
2-49 that dismissal, as applicable.

2-50 SECTION 3. Effective September 1, 2015, Section 2(a),
2-51 Article 55.02, Code of Criminal Procedure, is amended to read as
2-52 follows:

2-53 (a) A person who is entitled to expunction of records and
2-54 files under Article 55.01(a)(1)(B)(i) or under Article
2-55 55.01(a)(2), other than Article 55.01(a)(2)(A)(ii)(a), or a person
2-56 who is eligible for expunction of records and files under Article
2-57 55.01(b) may file an ex parte petition for expunction in a district
2-58 court for the county in which:

- 2-59 (1) the petitioner was arrested; or
- 2-60 (2) the offense was alleged to have occurred.

2-61 SECTION 4. Effective September 1, 2015, Section
2-62 21.044(c-1), Education Code, is amended to read as follows:

2-63 (c-1) Any minimum academic qualifications for a certificate
2-64 specified under Subsection (a) that require a person to possess a
2-65 bachelor's degree must also require that the person receive, as
2-66 part of the training required to obtain that certificate,
2-67 instruction regarding mental health, substance abuse, and youth
2-68 suicide. The instruction required must:

- 2-69 (1) be provided through a program selected from the

3-1 list of recommended best practice-based programs established under
3-2 Section 161.325, Health and Safety Code; and
3-3 (2) include effective strategies for teaching and
3-4 intervening with students with mental or emotional disorders,
3-5 including de-escalation techniques and positive behavioral
3-6 interventions and supports [in detection of students with mental or
3-7 emotional disorders].

3-8 SECTION 5. Effective September 1, 2015, Section 54.976(a),
3-9 Government Code, is amended to read as follows:

3-10 (a) A judge may refer to a magistrate any criminal case or
3-11 matter relating to a criminal case for proceedings involving:

- 3-12 (1) a negotiated plea of guilty or no contest and
- 3-13 sentencing;
- 3-14 (2) a pretrial motion;
- 3-15 (3) an examining trial;
- 3-16 (4) a writ of habeas corpus;
- 3-17 (5) a bond forfeiture suit;
- 3-18 (6) issuance of search warrants;
- 3-19 (7) setting, setting conditions, modifying, revoking,
- 3-20 and surrendering of bonds, including surety bonds;
- 3-21 (8) arraignment of defendants;
- 3-22 (9) a motion to increase or decrease a bond;
- 3-23 (10) a motion to revoke community supervision or to
- 3-24 proceed to an adjudication;
- 3-25 (11) an issue of competency or a civil commitment
- 3-26 under Chapter 46, 46B, or 46C, Code of Criminal Procedure, with or
- 3-27 without a jury;
- 3-28 (12) a motion to modify community supervision;
- 3-29 (13) specialty court proceedings, including drug
- 3-30 court proceedings, veterans treatment [~~veteran's~~] court
- 3-31 proceedings, and driving while intoxicated court proceedings;
- 3-32 (14) an expunction or a petition for nondisclosure;
- 3-33 (15) an occupational driver's license;
- 3-34 (16) a waiver of extradition;
- 3-35 (17) the issuance of subpoenas and orders requiring
- 3-36 the production of medical records, including records relating to
- 3-37 mental health or substance abuse treatment; and
- 3-38 (18) any other matter the judge considers necessary
- 3-39 and proper.

3-40 SECTION 6. Effective September 1, 2015, Section 103.0271,
3-41 Government Code, is amended to read as follows:

3-42 Sec. 103.0271. ADDITIONAL MISCELLANEOUS FEES AND COSTS:
3-43 GOVERNMENT CODE. Fees and costs shall be paid or collected under
3-44 the Government Code as follows:

- 3-45 (1) a program fee for a drug court program (Sec.
- 3-46 123.004, Government Code) . . . not to exceed \$1,000;
- 3-47 (2) an alcohol or controlled substance testing,
- 3-48 counseling, and treatment fee (Sec. 123.004, Government
- 3-49 Code) . . . the amount necessary to cover the costs of testing,
- 3-50 counseling, and treatment;
- 3-51 (3) a reasonable program fee for a veterans treatment
- 3-52 court program (Sec. 124.005, Government Code) . . . not to exceed
- 3-53 \$500 [~~\$1,000~~]; and
- 3-54 (4) a testing, counseling, and treatment fee for
- 3-55 testing, counseling, or treatment performed or provided under a
- 3-56 veterans treatment court program (Sec. 124.005, Government
- 3-57 Code) . . . the amount necessary to cover the costs of testing,
- 3-58 counseling, or treatment.

3-59 SECTION 7. Effective September 1, 2015, the heading to
3-60 Chapter 124, Government Code, is amended to read as follows:

3-61 CHAPTER 124. VETERANS TREATMENT COURT PROGRAM

3-62 SECTION 8. Effective September 1, 2015, Section 124.001,
3-63 Government Code, is amended to read as follows:

3-64 Sec. 124.001. VETERANS TREATMENT COURT PROGRAM DEFINED;
3-65 PROCEDURES FOR CERTAIN DEFENDANTS. (a) In this chapter, "veterans
3-66 treatment court program" means a program that has the following
3-67 essential characteristics:

- 3-68 (1) the integration of services in the processing of
- 3-69 cases in the judicial system;

- 4-1 (2) the use of a nonadversarial approach involving
- 4-2 prosecutors and defense attorneys to promote public safety and to
- 4-3 protect the due process rights of program participants;
- 4-4 (3) early identification and prompt placement of
- 4-5 eligible participants in the program;
- 4-6 (4) access to a continuum of alcohol, controlled
- 4-7 substance, mental health, and other related treatment and
- 4-8 rehabilitative services;
- 4-9 (5) careful monitoring of treatment and services
- 4-10 provided to program participants;
- 4-11 (6) a coordinated strategy to govern program responses
- 4-12 to participants' compliance;
- 4-13 (7) ongoing judicial interaction with program
- 4-14 participants;
- 4-15 (8) monitoring and evaluation of program goals and
- 4-16 effectiveness;
- 4-17 (9) continuing interdisciplinary education to promote
- 4-18 effective program planning, implementation, and operations; and
- 4-19 (10) development of partnerships with public agencies
- 4-20 and community organizations, including the United States
- 4-21 Department of Veterans Affairs.

4-22 (b) If a defendant who was arrested for or charged with, but
 4-23 not convicted of or placed on deferred adjudication community
 4-24 supervision for, an offense successfully completes a veterans
 4-25 treatment court program [as authorized under Section 76.011], after
 4-26 notice to the attorney representing the state and a hearing in the
 4-27 veterans treatment court at which that court determines that a
 4-28 dismissal is in the best interest of justice, the veterans
 4-29 treatment court shall provide its findings with respect to the
 4-30 dismissal to the court in which the criminal case is pending and
 4-31 shall include, for a defendant entitled to expunction, all of the
 4-32 information required for a petition under Section 2(b), Article
 4-33 55.02, Code of Criminal Procedure. If the veterans treatment court
 4-34 determines that a dismissal is in the best interest of justice for a
 4-35 program participant, the court in which the criminal case is
 4-36 pending shall dismiss the case [criminal action] against the
 4-37 participant. For a participant who is entitled to an automatic
 4-38 order of expunction under Section 1a(a-1), Article 55.02, Code of
 4-39 Criminal Procedure, the court in which the criminal case is pending
 4-40 shall:

- 4-41 (1) enter the order on behalf of the participant, if
- 4-42 that court is a district court; or
- 4-43 (2) if that court is not a district court, forward the
- 4-44 appropriate dismissal and expunction information to a district
- 4-45 court with jurisdiction to enter the order on behalf of the
- 4-46 participant [defendant].

4-47 (c) Regardless of whether the defendant was convicted of the
 4-48 offense for which the defendant entered the veterans treatment
 4-49 court program or whether the applicable court with jurisdiction
 4-50 over the criminal case deferred further proceedings without
 4-51 entering an adjudication of guilt, if a defendant successfully
 4-52 completes a veterans treatment court program and the case was not
 4-53 dismissed under Subsection (b), after notice to the state and a
 4-54 hearing on whether the defendant is otherwise entitled to the
 4-55 petition and whether issuance of the order is in the best interest
 4-56 of justice, the court shall enter an order of nondisclosure under
 4-57 Section 411.081 as if the defendant had received a discharge and
 4-58 dismissal under Section 5(c), Article 42.12, Code of Criminal
 4-59 Procedure, with respect to all records and files related to the
 4-60 defendant's arrest for the offense for which the defendant entered
 4-61 the program if the defendant entered the program based on an offense
 4-62 punishable as a misdemeanor and:

- 4-63 (1) has not been previously convicted of an offense
- 4-64 listed in Section 3g, Article 42.12, Code of Criminal Procedure, or
- 4-65 a sexually violent offense, as defined by Article 62.001, Code of
- 4-66 Criminal Procedure; and
- 4-67 (2) is not convicted for any felony offense between
- 4-68 the date on which the defendant successfully completed the program
- 4-69 and the second anniversary of that date.

5-1 (d) Notwithstanding Subsection (c), a defendant is not
5-2 entitled to petition the court for an order of nondisclosure
5-3 following successful completion of a veterans treatment court
5-4 program if the defendant's entry into the program arose as the
5-5 result of a conviction for an offense involving the operation of a
5-6 motor vehicle while intoxicated and it was shown on the trial of the
5-7 offense that the defendant's operation of a motor vehicle while
5-8 intoxicated caused bodily injury to another. In this subsection,
5-9 "bodily injury" has the meaning assigned by Section 1.07, Penal
5-10 Code.

5-11 SECTION 9. Effective September 1, 2015, Section 124.002,
5-12 Government Code, is amended to read as follows:

5-13 Sec. 124.002. AUTHORITY TO ESTABLISH PROGRAM; ELIGIBILITY.

5-14 (a) The commissioners court of a county may establish a veterans
5-15 treatment court program for persons arrested for, ~~or~~ charged
5-16 with, convicted of, or placed on deferred adjudication community
5-17 supervision for any misdemeanor or felony offense. A defendant is
5-18 eligible to participate in a veterans treatment court program
5-19 established under this chapter only if the attorney representing
5-20 the state consents to the defendant's participation in the program
5-21 and if the court in which the criminal case is pending or in which
5-22 the defendant was convicted or placed on deferred adjudication
5-23 community supervision, as applicable, finds that:

5-24 (1) the defendant:

5-25 (A) ~~[(1)]~~ is a veteran or current member of the
5-26 United States armed forces, including a member of the reserves,
5-27 national guard, or state guard; and

5-28 (B) ~~[(2)]~~ suffers from a brain injury, mental
5-29 illness, or mental disorder, including post-traumatic stress
5-30 disorder, or was a victim of military sexual trauma if the injury,
5-31 illness, disorder, or trauma ~~[that]~~:

5-32 (i) occurred during or ~~[(A)]~~ resulted from
5-33 the defendant's military service ~~[in a combat zone or other similar~~
5-34 ~~hazardous duty area]~~; and

5-35 (ii) ~~[(B) materially]~~ affected the
5-36 defendant's criminal conduct at issue in the case; or

5-37 (2) considering the circumstances of the defendant's
5-38 conduct, personal and social background, and criminal history, the
5-39 defendant's participation in a veterans treatment court program is
5-40 likely to achieve the objective of ensuring public safety through
5-41 rehabilitation of the veteran in the manner provided by Section
5-42 1.02(1), Penal Code.

5-43 (b) The court in which the criminal case is pending shall
5-44 allow an eligible defendant to choose whether to proceed through
5-45 the veterans treatment court program or otherwise through the
5-46 criminal justice system.

5-47 (c) Proof of matters described by Subsection (a) may be
5-48 submitted to the applicable criminal court ~~[in which the criminal~~
5-49 ~~case is pending]~~ in any form the court determines to be appropriate,
5-50 including military service and medical records, previous
5-51 determinations of a disability by a veteran's organization or by
5-52 the United States Department of Veterans Affairs, testimony or
5-53 affidavits of other veterans or service members, and prior
5-54 determinations of eligibility for benefits by any state or county
5-55 veterans office. The court's findings must accompany any docketed
5-56 case.

5-57 (d) In this section, "military sexual trauma" means any
5-58 sexual assault or sexual harassment that occurs while the victim is
5-59 a member of the United States armed forces performing the person's
5-60 regular duties.

5-61 SECTION 10. Effective September 1, 2015, the heading to
5-62 Section 124.003, Government Code, is amended to read as follows:

5-63 Sec. 124.003. DUTIES OF VETERANS TREATMENT COURT PROGRAM.

5-64 SECTION 11. Effective September 1, 2015, Section 124.003,
5-65 Government Code, is amended by amending Subsections (a) and (b) and
5-66 adding Subsection (b-1) to read as follows:

5-67 (a) A veterans treatment court program established under
5-68 this chapter must:

5-69 (1) if there has not yet been a disposition in the

6-1 criminal case, ensure that a person eligible for the program is
6-2 provided legal counsel before volunteering to proceed through the
6-3 program and while participating in the program;

6-4 (2) allow a participant arrested for or charged with
6-5 an offense to withdraw from the program at any time before a trial
6-6 on the merits has been initiated;

6-7 (3) provide a participant with a court-ordered
6-8 individualized treatment plan indicating the services that will be
6-9 provided to the participant; and

6-10 (4) ensure that the jurisdiction of the veterans
6-11 treatment court continues for a period of not less than six months
6-12 but does not continue beyond the period of community supervision
6-13 for the offense charged.

6-14 (b) A veterans treatment court program established under
6-15 this chapter shall make, establish, and publish local procedures to
6-16 ensure maximum participation of eligible defendants in the county
6-17 or counties in which those defendants reside.

6-18 (b-1) A veterans treatment court program may allow a
6-19 participant to comply with the participant's court-ordered
6-20 individualized treatment plan or to fulfill certain other court
6-21 obligations through the use of videoconferencing software or other
6-22 Internet-based communications.

6-23 SECTION 12. Effective September 1, 2015, Section 124.004,
6-24 Government Code, is amended to read as follows:

6-25 Sec. 124.004. ESTABLISHMENT OF REGIONAL PROGRAM. (a) The
6-26 commissioners courts of two or more counties may elect to establish
6-27 a regional veterans treatment court program under this chapter for
6-28 the participating counties.

6-29 (b) For purposes of this chapter, each county that elects to
6-30 establish a regional veterans treatment court program under this
6-31 section is considered to have established the program and is
6-32 entitled to retain fees under Article 102.0178, Code of Criminal
6-33 Procedure, in the same manner as if the county had established a
6-34 veterans treatment court program without participating in a
6-35 regional program.

6-36 SECTION 13. Effective September 1, 2015, Section
6-37 124.005(a), Government Code, is amended to read as follows:

6-38 (a) A veterans treatment court program established under
6-39 this chapter may collect from a participant in the program:

6-40 (1) a reasonable program fee not to exceed \$500
6-41 [\$1,000]; and

6-42 (2) a testing, counseling, and treatment fee in an
6-43 amount necessary to cover the costs of any testing, counseling, or
6-44 treatment performed or provided under the program.

6-45 SECTION 14. Effective September 1, 2015, Chapter 124,
6-46 Government Code, is amended by adding Section 124.006 to read as
6-47 follows:

6-48 Sec. 124.006. COURTESY SUPERVISION. (a) A veterans
6-49 treatment court program that accepts placement of a defendant may
6-50 transfer responsibility for supervising the defendant's
6-51 participation in the program to another veterans treatment court
6-52 program that is located in the county where the defendant works or
6-53 resides. The defendant's supervision may be transferred under this
6-54 section only with the consent of both veterans treatment court
6-55 programs and the defendant.

6-56 (b) A defendant that consents to the transfer of the
6-57 defendant's supervision must agree to abide by all rules,
6-58 requirements, and instructions of the veterans treatment court
6-59 program that accepts the transfer.

6-60 (c) If a defendant whose supervision is transferred under
6-61 this section does not successfully complete the program, the
6-62 veterans treatment court program supervising the defendant shall
6-63 return the responsibility for the defendant's supervision to the
6-64 veterans treatment court program that initiated the transfer.

6-65 (d) If a defendant is charged with an offense in a county
6-66 that does not operate a veterans treatment court program, the court
6-67 in which the criminal case is pending may place the defendant in a
6-68 veterans treatment court program located in the county where the
6-69 defendant works or resides, provided that a program is operated in

7-1 that county and the defendant agrees to the placement. A defendant
7-2 placed in a veterans treatment court program in accordance with
7-3 this subsection must agree to abide by all rules, requirements, and
7-4 instructions of the program.

7-5 SECTION 15. Effective September 1, 2015, Section
7-6 772.0061(a)(2), Government Code, as amended by Chapters 747 (S.B.
7-7 462) and 1167 (S.B. 484), Acts of the 83rd Legislature, Regular
7-8 Session, 2013, is reenacted and amended to read as follows:

- 7-9 (2) "Specialty court" means:
- 7-10 (A) a prostitution prevention program
- 7-11 established under Chapter 169A, Health and Safety Code;
- 7-12 (B) a family drug court program established under
- 7-13 Chapter 122 or former law;
- 7-14 (C) [~~(B)~~] a drug court program established under
- 7-15 Chapter 123 or former law;
- 7-16 (D) [~~(C)~~] a veterans treatment court program
- 7-17 established under Chapter 124 or former law; and
- 7-18 (E) [~~(D)~~] a mental health court program
- 7-19 established under Chapter 125 or former law.

7-20 SECTION 16. Chapter 772, Government Code, is amended by
7-21 adding Section 772.0072 to read as follows:

7-22 Sec. 772.0072. GRANT PROGRAM FOR MONITORING DEFENDANTS AND
7-23 VICTIMS IN FAMILY VIOLENCE CASES. (a) In this section:

7-24 (1) "Criminal justice division" means the criminal
7-25 justice division established under Section 772.006.

7-26 (2) "Family violence" has the meaning assigned by
7-27 Section 71.004, Family Code.

7-28 (b) If funds are appropriated for the purposes of this
7-29 section, the criminal justice division, in consultation with the
7-30 Texas Council on Family Violence, shall establish and administer a
7-31 grant program to reimburse counties for all or part of the costs
7-32 incurred by counties as a result of monitoring in cases involving
7-33 family violence defendants and victims who participate in a global
7-34 positioning monitoring system under Article 17.292 or 17.49, Code
7-35 of Criminal Procedure.

7-36 (c) The criminal justice division, in consultation with the
7-37 Texas Council on Family Violence, shall establish:

- 7-38 (1) additional eligibility criteria for grant
- 7-39 applicants;
- 7-40 (2) grant application procedures;
- 7-41 (3) guidelines relating to grant amounts;
- 7-42 (4) procedures for evaluating grant applications; and
- 7-43 (5) procedures for monitoring the use of a grant
- 7-44 awarded under the program and ensuring compliance with any
- 7-45 conditions of a grant.

7-46 (d) The criminal justice division shall include in the
7-47 biennial report required by Section 772.006(a)(9) a detailed
7-48 reporting of the results and performance of the grant program
7-49 administered under this section.

7-50 (e) The criminal justice division may use all revenue
7-51 available for purposes of this section other than funding received
7-52 under the Victims of Crime Act of 1984 (Title II,
7-53 Pub. L. No. 98-473), the Violence Against Women Act of 1994 (Title
7-54 IV, Pub. L. No. 103-322), or the Violence Against Women Act of 2000
7-55 (Division B, Pub. L. No. 106-386).

7-56 SECTION 17. Section 81.008, Health and Safety Code, as
7-57 amended by S.B. 219, Acts of the 84th Legislature, Regular Session,
7-58 2015, is amended to read as follows:

7-59 Sec. 81.008. COMMUNICABLE DISEASE IN ANIMALS; EXCHANGE OF
7-60 INFORMATION. (a) If the department or a local health authority
7-61 has reasonable cause to believe that an animal has been infected
7-62 with, has been exposed to, or is the carrier of a communicable
7-63 disease, the department, local health authority, or Texas Animal
7-64 Health Commission may obtain a sample of the animal's blood or other
7-65 bodily fluid to perform a test for an infectious disease without:

- 7-66 (1) the permission of the animal's owner; or
- 7-67 (2) a control order under Section 81.084.

7-68 (b) The Texas Animal Health Commission and the Texas A&M
7-69 [University] Veterinary Medical Diagnostic Laboratory shall each

8-1 adopt by rule a memorandum of understanding, adopted also by rule by
8-2 the executive commissioner, governing the exchange of information
8-3 on communicable diseases in animals between the department and
8-4 those entities.

8-5 SECTION 18. Section 81.046, Health and Safety Code, is
8-6 amended by amending Subsection (b) and adding Subsection (f-1) to
8-7 read as follows:

8-8 (b) Reports, records, and information relating to cases or
8-9 suspected cases of diseases or health conditions are not public
8-10 information under Chapter 552, Government Code, and may not be
8-11 released or made public on subpoena or otherwise except as provided
8-12 by Subsections (c), (d), ~~and~~ (f), and (f-1).

8-13 (f-1) The department may release to a first responder, as
8-14 defined by Section 421.095, Government Code, or a local health
8-15 authority a person's name and the address of the person's current
8-16 location if:

8-17 (1) the department reasonably believes that the person
8-18 is infected with, has been exposed to, or is the carrier of a
8-19 communicable disease; and

8-20 (2) the communicable disease poses a serious health
8-21 risk to first responders that do not wear the appropriate personal
8-22 protective equipment.

8-23 SECTION 19. Section 81.083, Health and Safety Code, is
8-24 amended by amending Subsections (a), (b), and (e) and adding
8-25 Subsection (d-1) to read as follows:

8-26 (a) Any person, including a physician, who examines or
8-27 treats an individual who has a communicable disease, or the
8-28 department or a local health authority, shall instruct the
8-29 individual about:

8-30 (1) measures for preventing reinfection and spread of
8-31 the disease; and

8-32 (2) the necessity for treatment until the individual
8-33 is cured or free from the infection.

8-34 (b) If the department or a health authority has reasonable
8-35 cause to believe that an individual is infected ~~ill~~ with, has been
8-36 exposed to, or is the carrier of a communicable disease, the
8-37 department or health authority may order the individual, or the
8-38 individual's parent, legal guardian, or managing conservator if the
8-39 individual is a minor, to implement control measures that are
8-40 reasonable and necessary to prevent the introduction,
8-41 transmission, and spread of the disease in this state. The order
8-42 may require the individual to remain in a health care facility or
8-43 other location, including the individual's home.

8-44 (d-1) A peace officer, including a sheriff or constable, may
8-45 use reasonable force to:

8-46 (1) secure an individual subject to an order issued
8-47 under Subsection (b); and

8-48 (2) except as directed by the department or the health
8-49 authority, prevent the individual from leaving the facility or
8-50 other location designated in the order.

8-51 (e) An individual may be subject to emergency detention
8-52 under Section 81.0891 or court orders under Subchapter G if the
8-53 individual is infected with, has been exposed to, or is the carrier
8-54 of or is reasonably suspected of being infected with, having been
8-55 exposed to, or being the carrier of a communicable disease that
8-56 presents an immediate threat to the public health and:

8-57 (1) the individual, or the individual's parent, legal
8-58 guardian, or managing conservator if the individual is a minor,
8-59 does not comply with the written orders of the department or a
8-60 health authority under this section; or

8-61 (2) a public health disaster exists, regardless of
8-62 whether the department or health authority has issued a written
8-63 order and the individual has indicated that the individual will not
8-64 voluntarily comply with control measures.

8-65 SECTION 20. Section 81.084(j), Health and Safety Code, is
8-66 amended to read as follows:

8-67 (j) In this section, "property" means:

8-68 (1) an object;

8-69 (2) a parcel of land; ~~or~~

- 9-1 (3) an animal; or
- 9-2 (4) a structure~~[, animal]~~ or other property on a
- 9-3 parcel of land.

9-4 SECTION 21. Sections 81.086(b), (c), and (i), Health and
 9-5 Safety Code, are amended to read as follows:

9-6 (b) If the department or health authority has reasonable
 9-7 cause to believe that a carrier or conveyance has departed from or
 9-8 traveled through an area infected or contaminated with a
 9-9 communicable disease or that an individual transported by the
 9-10 carrier or conveyance is infected with, has been exposed to, or is
 9-11 the carrier of a communicable disease, the department or health
 9-12 authority may order the owner, operator, or authorized agent in
 9-13 control of the carrier or conveyance to:

9-14 (1) stop the carrier or conveyance at a port of entry
 9-15 or place of first landing or first arrival in this state; and

9-16 (2) provide information on passengers and cargo
 9-17 manifests that includes the details of:

9-18 (A) any illness suspected of being communicable
 9-19 that occurred during the journey;

9-20 (B) any condition on board the carrier or
 9-21 conveyance during the journey that may lead to the spread of
 9-22 disease; and

9-23 (C) any control measures imposed on the carrier
 9-24 or conveyance, its passengers or crew, or its cargo or any other
 9-25 object on board during the journey.

9-26 (c) The department or health authority may impose necessary
 9-27 technically feasible control measures under Section 81.083 or
 9-28 81.084 to prevent the introduction and spread of communicable
 9-29 disease in this state if the department or health authority, after
 9-30 inspection, has reasonable cause to believe that a carrier or
 9-31 conveyance:

9-32 (1) ~~[that]~~ has departed from or traveled through an
 9-33 infected or contaminated area and:

9-34 (A) ~~[(1)]~~ is or may be infected or contaminated
 9-35 with a communicable disease; or

9-36 (B) ~~[(2)]~~ has cargo or an object on board that is
 9-37 or may be infected or contaminated with a communicable disease; or

9-38 (2) ~~[(3)]~~ has an individual on board who is infected
 9-39 with, has been exposed to, or is the carrier of~~[,]~~ a communicable
 9-40 disease.

9-41 (i) The department or health authority may require an
 9-42 individual transported by carrier or conveyance who the department
 9-43 or health authority has reasonable cause to believe is infected
 9-44 with, has been exposed to, or is the carrier of a communicable
 9-45 disease to be isolated from other travelers and to disembark with
 9-46 the individual's personal effects and baggage at the first location
 9-47 equipped with adequate investigative and disease control
 9-48 facilities, whether the person is in transit through this state or
 9-49 to an intermediate or ultimate destination in this state. The
 9-50 department or health authority may investigate and, if necessary,
 9-51 isolate or involuntarily hospitalize the individual until the
 9-52 department or health authority approves the discharge as authorized
 9-53 by Section 81.083.

9-54 SECTION 22. Subchapter E, Chapter 81, Health and Safety
 9-55 Code, is amended by adding Sections 81.0891, 81.0892, 81.0893,
 9-56 81.0894, and 81.0895 to read as follows:

9-57 Sec. 81.0891. EMERGENCY DETENTION OF INDIVIDUAL SUBJECT TO
 9-58 CONTROL ORDER. (a) A peace officer, without a warrant, may take an
 9-59 individual into custody if the officer has reason to believe and
 9-60 does believe that:

9-61 (1) the individual is subject to a written control
 9-62 order under Section 81.083 issued in response to a communicable
 9-63 disease that the commissioner of state health services has
 9-64 determined poses a serious and imminent risk to health and safety
 9-65 because the disease:

9-66 (A) has resulted or is likely to result in severe
 9-67 or life-threatening illness or death for those infected with the
 9-68 disease; and

9-69 (B) is not contained by current public health and

10-1 medical interventions and is resulting in a high rate of morbidity
10-2 or mortality;
10-3 (2) the individual, or the individual's parent, legal
10-4 guardian, or managing conservator if the individual is a minor, is
10-5 not complying with or does not intend to comply with the control
10-6 order; and
10-7 (3) there is a substantial risk of serious harm to
10-8 others unless the individual is immediately detained.
10-9 (b) A substantial risk of serious harm to others under
10-10 Subsection (a)(3) may be demonstrated by:
10-11 (1) a violation of a control order issued in response
10-12 to a communicable disease described by Subsection (a)(1) by the
10-13 individual or, if the individual is a minor, the individual's
10-14 parent, legal guardian, or managing conservator;
10-15 (2) evidence of signs or symptoms of illness
10-16 consistent with the signs or symptoms of a communicable disease
10-17 described by Subsection (a)(1), to the extent that the person
10-18 cannot remain at liberty; or
10-19 (3) information provided to the peace officer by the
10-20 local health authority that issued the control order or the
10-21 department.
10-22 (c) The peace officer may form the belief that the
10-23 individual may be subject to emergency detention under this
10-24 section:
10-25 (1) on information and belief from the local health
10-26 authority that issued the control order or the department; or
10-27 (2) on the basis of the condition of the individual or
10-28 the circumstances under which the individual is found.
10-29 (d) A peace officer who takes an individual into custody
10-30 under Subsection (a) shall immediately transport or, if the
10-31 individual's suspected illness may pose a serious health risk to
10-32 the peace officer, arrange for transportation of the individual to:
10-33 (1) the nearest appropriate health facility, as
10-34 determined by the department; or
10-35 (2) a location considered suitable by the department
10-36 or local health authority, including the individual's home.
10-37 (e) In determining whether a health facility or location is
10-38 appropriate for detention of a particular individual under
10-39 Subsection (d), the department or local health authority shall, to
10-40 the extent possible while still protecting the public health,
10-41 attempt to keep family units together.
10-42 (f) In determining whether a health facility is appropriate
10-43 for the detention of a person under Subsection (d)(1), the
10-44 department shall consider the facility's capacity and resources and
10-45 whether the facility is designated as a facility for containment
10-46 and treatment of communicable diseases.
10-47 (g) A peace officer who takes an individual into custody
10-48 under Subsection (a) shall immediately inform the individual orally
10-49 in simple, nontechnical terms:
10-50 (1) of the reason for the detention;
10-51 (2) of the individual's rights under Section 81.0895;
10-52 and
10-53 (3) that a staff member of the health facility, or the
10-54 department or local health authority if the individual is detained
10-55 at a location under Subsection (d)(2), will inform the individual
10-56 of the individual's rights under Section 81.0895 not later than 24
10-57 hours after the time the individual is admitted to the facility or
10-58 detained at the other location, as applicable.
10-59 Sec. 81.0892. PEACE OFFICER'S NOTIFICATION OF DETENTION.
10-60 (a) A peace officer shall immediately file with a health facility,
10-61 or the local health authority or the department if the individual is
10-62 detained at a location under Section 81.0891(d)(2), a notification
10-63 of detention after transporting an individual to that facility or
10-64 location under Section 81.0891.
10-65 (b) The notification of detention must contain:
10-66 (1) a statement that the officer has reason to believe
10-67 and does believe that:
10-68 (A) the individual is the subject of a
10-69 communicable disease control order under Section 81.083 in response

11-1 to a communicable disease described by Section 81.0891(a)(1);
11-2 (B) the individual, or the individual's parent,
11-3 legal guardian, or managing conservator if the individual is a
11-4 minor, is not complying with or does not intend to comply with the
11-5 control order;

11-6 (C) the individual evidences a substantial risk
11-7 of serious harm to others; and

11-8 (D) the risk of harm is imminent unless the
11-9 person is immediately detained;

11-10 (2) a statement that the officer's beliefs are based on
11-11 specific recent behavior, overt acts, attempts, statements, or
11-12 threats that were observed by or reliably reported to the officer;
11-13 and

11-14 (3) a detailed description of the specific behavior,
11-15 overt acts, attempts, statements, or threats and, if applicable,
11-16 the name of the person who reported or observed the behavior, acts,
11-17 attempts, statements, or threats.

11-18 (c) If the individual is detained at a health facility under
11-19 Section 81.0891(d)(1), the facility in which the individual is
11-20 detained shall include in the detained individual's file the
11-21 notification of detention described by this section.

11-22 (d) The peace officer shall give the notification of
11-23 detention on the following form:

11-24 Notification--Communicable Disease Emergency Detention
11-25 NO. _____

11-26 DATE: _____ TIME: _____

11-27 THE STATE OF TEXAS

11-28 FOR THE BEST INTEREST AND PROTECTION OF:

11-29 _____

11-30 NOTIFICATION OF COMMUNICABLE DISEASE EMERGENCY DETENTION

11-31 Now comes _____, a peace officer with
11-32 (name of agency) _____, of the State of
11-33 Texas, and states as follows:

11-34 1. I have reason to believe and do believe that (name of individual
11-35 to be detained) _____ is the subject of a
11-36 control order under Section 81.083, Health and Safety Code, issued
11-37 in response to a communicable disease determined by the
11-38 commissioner of state health services to pose a serious and
11-39 imminent risk to health and safety.

11-40 2. I have reason to believe and do believe that the above-named
11-41 individual (or, if applicable, the minor individual's parent, legal
11-42 guardian, or managing conservator) is not complying with or does
11-43 not intend to comply with the control order based on the following:
11-44 _____
11-45 _____
11-46 _____

11-47 _____
11-48 3. I have reason to believe and do believe that the above-named
11-49 individual evidences a substantial risk of serious harm to others
11-50 based on the following:
11-51 _____
11-52 _____
11-53 _____

11-54 _____
11-55 4. I have reason to believe and do believe that the risk of harm is
11-56 imminent unless the above-named individual is immediately
11-57 detained.

11-58 5. My beliefs are based on the following recent behavior, overt
11-59 acts, attempts, statements, or threats observed by me or reliably
11-60 reported to me:
11-61 _____
11-62 _____
11-63 _____

11-64 _____
11-65 6. The names and addresses of those persons who reported or
11-66 observed recent behavior, overt acts, attempts, statements, or
11-67 threats of the above-named person are (if applicable):
11-68 _____
11-69 _____

12-1 _____
12-2 _____
12-3 For the above reasons, I present this notification to (name of
12-4 health facility or local health authority or department)
12-5 _____ for the detention of (name of individual
12-6 to be detained) _____.

12-7 7. Was the individual restrained in any way? Yes No
12-8 _____ BADGE NO. _____

12-9 PEACE OFFICER'S SIGNATURE _____
12-10 Address: _____ Zip Code: _____
12-11 Telephone: _____

12-12 (e) A health facility, local health authority, or the
12-13 department may not require a peace officer to execute any form other
12-14 than the form provided by Subsection (d) as a condition of accepting
12-15 for temporary admission an individual detained under Section
12-16 81.0891.

12-17 Sec. 81.0893. ACCEPTANCE OF PERSON. A health facility
12-18 shall temporarily accept an individual for whom a peace officer
12-19 files a notification of detention under Section 81.0892(a).

12-20 Sec. 81.0894. RELEASE FROM DETENTION. (a) An individual
12-21 detained under Section 81.0891 may be detained in custody for not
12-22 longer than 48 hours after the time the individual is presented to
12-23 the health facility or location unless a written order for further
12-24 custody or detention is obtained under Subchapter G.

12-25 (b) If the 48-hour period ends on a Saturday, Sunday, legal
12-26 holiday, or before 4 p.m. on the first succeeding business day, the
12-27 individual may be detained until 4 p.m. on the first succeeding
12-28 business day. If the 48-hour period ends at a different time, the
12-29 individual may be detained only until 4 p.m. on the day the 48-hour
12-30 period ends.

12-31 (c) If extremely hazardous weather conditions exist or a
12-32 disaster occurs, the presiding judge or magistrate may, by written
12-33 order made each day, extend by an additional 24 hours the period
12-34 during which the individual may be detained. The written order must
12-35 declare that an emergency exists because of the weather or the
12-36 occurrence of a disaster.

12-37 Sec. 81.0895. RIGHTS OF INDIVIDUALS DETAINED. (a) An
12-38 individual subject to emergency detention under Section 81.0891 has
12-39 the right:

12-40 (1) to be advised of the location of detention, the
12-41 reasons for the detention, and the fact that the detention could
12-42 result in a longer period of court-ordered management;

12-43 (2) to a reasonable opportunity to communicate with
12-44 and retain an attorney;

12-45 (3) to be released from a health facility as provided
12-46 by Section 81.0894;

12-47 (4) to be advised that communications with a health
12-48 professional, local health authority, or the department may be used
12-49 in proceedings for further detention; and

12-50 (5) to a reasonable opportunity to communicate with a
12-51 relative or other responsible person who has a proper interest in
12-52 the individual's welfare.

12-53 (b) An individual detained under Section 81.0891 must:

12-54 (1) immediately be informed, orally in simple,
12-55 nontechnical terms, of the individual's rights under this section
12-56 by the peace officer at the time the peace officer takes the
12-57 individual into custody under Section 81.0891; and

12-58 (2) not later than 24 hours after the time the
12-59 individual is admitted to a health facility or detained in another
12-60 location, as applicable, be informed of the rights provided by this
12-61 section and this subchapter:

12-62 (A) orally in simple, nontechnical terms and in
12-63 writing in the person's primary language, if possible; or

12-64 (B) through the use of a means reasonably
12-65 calculated to communicate with a hearing or visually impaired
12-66 individual, if applicable.

12-67 (c) The executive commissioner of the Health and Human
12-68 Services Commission by rule shall prescribe the manner in which the
12-69 individual is informed of the individual's rights under this

13-1 subchapter.

13-2 SECTION 23. The heading to Subchapter G, Chapter 81, Health
13-3 and Safety Code, is amended to read as follows:

13-4 SUBCHAPTER G. COURT ORDERS FOR MANAGEMENT OF PERSONS WHO ARE
13-5 INFECTED WITH, EXPOSED TO, OR CARRIERS OF COMMUNICABLE DISEASES

13-6 SECTION 24. Section 81.151(e), Health and Safety Code, is
13-7 amended to read as follows:

13-8 (e) A single application may be filed for a group if:

13-9 (1) the department or health authority reasonably
13-10 suspects that a group of five or more persons are infected with,
13-11 have been [has been] exposed to, or are carriers of [infected with]
13-12 a communicable disease; and

13-13 (2) each person in the group meets the criteria of this
13-14 chapter for court orders for the management of a person who is
13-15 infected with, has been exposed to, or is a carrier of a
13-16 communicable disease.

13-17 SECTION 25. Section 81.1511, Health and Safety Code, is
13-18 amended to read as follows:

13-19 Sec. 81.1511. APPLICABILITY OF SUBCHAPTER TO GROUP. To the
13-20 extent possible, and except as otherwise provided, if a group
13-21 application is filed under Section 81.151(e), the provisions of
13-22 this subchapter apply to the group in the same manner as they apply
13-23 to an individual, except that:

13-24 (1) except as provided by Subdivision (2), any
13-25 statement or determination regarding the condition [conduct] or
13-26 status of a person must be made in regard to the majority of the
13-27 members of the group;

13-28 (2) any finding or statement related to compliance
13-29 with orders under Section 81.083 must be made for the entire group;

13-30 (3) any notice required to be provided to a person
13-31 must:

13-32 (A) in addition to being sent to each individual
13-33 in the group for whom the department or health authority has an
13-34 address, be published in a newspaper of general circulation in the
13-35 county that includes the area of the suspected contamination and
13-36 any other county in which the department or health authority
13-37 suspects a member of the group resides;

13-38 (B) state that the group is appointed an attorney
13-39 but that a member of the group is entitled to the member's own
13-40 attorney on request; and

13-41 (C) include instructions for any person who
13-42 reasonably suspects that the person was at the place of the
13-43 suspected exposure at the time of the suspected exposure to provide
13-44 the person's name, address, and county of residence to the
13-45 department or health authority; and

13-46 (4) an affidavit of medical evaluation for the group
13-47 may be based on evaluation of one or more members of the group if the
13-48 physician reasonably believes that the condition of the individual
13-49 or individuals represents the condition of the majority of the
13-50 members of the group.

13-51 SECTION 26. Section 81.152, Health and Safety Code, is
13-52 amended to read as follows:

13-53 Sec. 81.152. FORM OF APPLICATION. (a) An application for
13-54 a court order for the management of a person who is infected with,
13-55 has been exposed to, or is a carrier of a communicable disease must
13-56 be styled using the person's initials and not the person's full
13-57 name.

13-58 (b) The application must state whether the application is
13-59 for temporary or extended management of a person who is infected
13-60 with, has been exposed to, or is a carrier of a communicable
13-61 disease.

13-62 (c) Any application must contain the following information
13-63 according to the applicant's information and belief:

13-64 (1) the person's name and address;

13-65 (2) the person's county of residence in this state;

13-66 (3) a statement that the person is infected with, has
13-67 been exposed to, or is the carrier of or is reasonably suspected of
13-68 being infected with, having been exposed to, or being the carrier of
13-69 a communicable disease that presents a threat to public health and

14-1 that the person meets the criteria of this chapter for court orders
 14-2 for the management of a person with a communicable disease; and

14-3 (4) a statement, to be included only in an application
 14-4 for inpatient treatment, that the person fails or refuses to comply
 14-5 with written orders of the department or health authority under
 14-6 Section 81.083, if applicable.

14-7 (d) A group application must contain the following
 14-8 information according to the applicant's information and belief:

14-9 (1) a description of the group and the location where
 14-10 the members of the group may be found;

14-11 (2) a narrative of how the members of the group have
 14-12 become infected with, were [has been] exposed to, or became
 14-13 carriers of the communicable disease [infected];

14-14 (3) an estimate of how many persons are included in the
 14-15 group;

14-16 (4) to the extent known, a list containing the name,
 14-17 address, and county of residence in this state of each member of the
 14-18 group;

14-19 (5) if the applicant is unable to obtain the name and
 14-20 address of each member of the group:

14-21 (A) a statement that the applicant has sought
 14-22 each of the unknown names and addresses; and

14-23 (B) the reason that the names and addresses are
 14-24 unavailable; and

14-25 (6) a statement, to be included only in an application
 14-26 for inpatient treatment, that the members of the group fail or
 14-27 refuse to comply with written orders of the department or health
 14-28 authority under Section 81.083, if applicable.

14-29 SECTION 27. Section 81.153(a), Health and Safety Code, is
 14-30 amended to read as follows:

14-31 (a) The judge shall appoint an attorney to represent a
 14-32 person not later than the 24th hour after the time an application
 14-33 for a court order for the management of a person who is infected
 14-34 with, has been exposed to, or is the carrier of a communicable
 14-35 disease is filed if the person does not have an attorney. The judge
 14-36 shall also appoint a language or sign interpreter if necessary to
 14-37 ensure effective communication with the attorney in the person's
 14-38 primary language.

14-39 SECTION 28. Section 81.158(a), Health and Safety Code, is
 14-40 amended to read as follows:

14-41 (a) An affidavit of medical evaluation must be dated and
 14-42 signed by the commissioner or the commissioner's designee, or by a
 14-43 health authority with the concurrence of the commissioner or the
 14-44 commissioner's designee. The certificate must include:

14-45 (1) the name and address of the examining physician,
 14-46 if applicable;

14-47 (2) the name and address of the person examined or to
 14-48 be examined;

14-49 (3) the date and place of the examination, if
 14-50 applicable;

14-51 (4) a brief diagnosis of the examined person's
 14-52 physical and mental condition, if applicable;

14-53 (5) the period, if any, during which the examined
 14-54 person has been under the care of the examining physician;

14-55 (6) an accurate description of the health treatment,
 14-56 if any, given by or administered under the direction of the
 14-57 examining physician; and

14-58 (7) the opinion of the health authority or department
 14-59 and the reason for that opinion, including laboratory reports,
 14-60 that:

14-61 (A) the examined person is infected with, has
 14-62 been exposed to, or is the carrier of or is reasonably suspected of
 14-63 being infected with, having been exposed to, or being the carrier of
 14-64 a communicable disease that presents a threat to public health; and

14-65 (B) as a result of that communicable disease the
 14-66 examined person:

14-67 (i) is likely to cause serious harm to self
 14-68 [~~himself~~]; or

14-69 (ii) will, if not examined, observed, or

15-1 treated, continue to endanger public health.

15-2 SECTION 29. Section 81.159(a), Health and Safety Code, as
15-3 amended by S.B. 219, Acts of the 84th Legislature, Regular Session,
15-4 2015, is amended to read as follows:

15-5 (a) The commissioner shall designate health care facilities
15-6 throughout the state that are capable of providing services for the
15-7 examination, observation, isolation, or treatment of persons
15-8 having or suspected of being infected with, having been exposed to,
15-9 or being a carrier of [~~having~~] a communicable disease. However, the
15-10 commissioner may not designate:

15-11 (1) a nursing facility or custodial care home required
15-12 to be licensed under Chapter 242; or

15-13 (2) an ICF-IID required to be licensed under Chapter
15-14 252.

15-15 SECTION 30. Sections 81.161(a) and (c), Health and Safety
15-16 Code, are amended to read as follows:

15-17 (a) A motion for an order of protective custody may be filed
15-18 only in the court in which an application for a court order for the
15-19 management of a person who is infected with, has been exposed to, or
15-20 is the carrier of a communicable disease is pending.

15-21 (c) The motion must state that:

15-22 (1) the department or health authority has reason to
15-23 believe and does believe that the person meets the criteria
15-24 authorizing the court to order protective custody; and

15-25 (2) the belief is derived from:

15-26 (A) the representations of a credible person;

15-27 (B) the condition [~~conduct~~] of the person who is
15-28 the subject of the motion; or

15-29 (C) the circumstances under which the person is
15-30 found.

15-31 SECTION 31. Sections 81.162(a) and (f), Health and Safety
15-32 Code, are amended to read as follows:

15-33 (a) The judge or designated magistrate may issue a
15-34 protective custody order if the judge or magistrate determines:

15-35 (1) that the health authority or department has stated
15-36 its opinion and the detailed basis for its opinion that the person
15-37 is infected with, has been exposed to, or is the carrier of or is
15-38 reasonably suspected of being infected with, having been exposed
15-39 to, or being the carrier of a communicable disease that presents an
15-40 immediate threat to the public health; and

15-41 (2) that the person fails or refuses to comply with the
15-42 written orders of the health authority or the department under
15-43 Section 81.083, if applicable.

15-44 (f) Notwithstanding Section 81.161 or Subsection (c), a
15-45 judge or magistrate may issue a temporary protective custody order
15-46 before the filing of an application for a court order for the
15-47 management of a person who is infected with, has been exposed to, or
15-48 is a carrier of a communicable disease under Section 81.151 if:

15-49 (1) the judge or magistrate takes testimony that an
15-50 application under Section 81.151, together with a motion for
15-51 protective custody under Section 81.161, will be filed with the
15-52 court on the next business day; and

15-53 (2) the judge or magistrate determines based on
15-54 evidence taken under Subsection (d) that there is probable cause to
15-55 believe that the person presents a substantial risk of serious harm
15-56 to self [~~himself~~] or others to the extent that the person cannot be
15-57 at liberty pending the filing of the application and motion.

15-58 SECTION 32. Section 81.165(a), Health and Safety Code, is
15-59 amended to read as follows:

15-60 (a) A hearing must be held to determine if:

15-61 (1) there is probable cause to believe that a person
15-62 under a protective custody order presents a substantial risk of
15-63 serious harm to the person [~~himself~~] or others to the extent that
15-64 the person cannot be at liberty pending the hearing on a court order
15-65 for the management of a person with a communicable disease; and

15-66 (2) the health authority or department has stated its
15-67 opinion and the detailed basis for its opinion that the person is
15-68 infected with, has been exposed to, or is the carrier of or is
15-69 reasonably suspected of being infected with, having been exposed

16-1 to, or being the carrier of a communicable disease that presents an
 16-2 immediate threat to public health.

16-3 SECTION 33. Section 81.166(d), Health and Safety Code, as
 16-4 amended by S.B. 219, Acts of the 84th Legislature, Regular Session,
 16-5 2015, is amended to read as follows:

16-6 (d) The notification of probable cause hearing shall read as
 16-7 follows:

16-8 (Style of Case)

16-9 NOTIFICATION OF PROBABLE CAUSE HEARING

16-10 On this the _____ day of _____, 20__, the
 16-11 undersigned hearing officer heard evidence concerning the need for
 16-12 protective custody of _____ (hereinafter referred to as
 16-13 proposed patient). The proposed patient was given the opportunity
 16-14 to challenge the allegations that the proposed patient presents a
 16-15 substantial risk of serious harm to self or others.

16-16 The proposed patient and the proposed patient's attorney
 16-17 _____ have been given written notice that the
 16-18 proposed patient was placed under an order of protective custody
 16-19 and the reasons for such order on _____ (date of notice).

16-20 I have examined the affidavit of medical evaluation and
 16-21 _____ (other evidence considered). Based on this
 16-22 evidence, I find that there is probable cause to believe that the
 16-23 proposed patient presents a substantial risk of serious harm to
 16-24 self (yes _____ or no _____) or others (yes _____ or no _____) such that
 16-25 the proposed patient cannot be at liberty pending final hearing
 16-26 because the proposed patient is infected with, has been exposed to,
 16-27 or is the carrier of or is reasonably suspected of being infected
 16-28 with, having been exposed to, or being the carrier of a communicable
 16-29 disease that presents an immediate threat to the public health and
 16-30 the proposed patient has failed or refused to comply with the orders
 16-31 of the health authority or the Department of State Health Services
 16-32 delivered on _____ (date of service) _____.

16-33 SECTION 34. Section 81.167(a), Health and Safety Code, is
 16-34 amended to read as follows:

16-35 (a) The head of a facility or the facility head's designee
 16-36 shall detain a person under a protective custody order in the
 16-37 facility pending a court order for the management of a person who is
 16-38 infected with, has been exposed to, or is a carrier of a
 16-39 communicable disease or until the person is released or discharged
 16-40 under Section 81.168.

16-41 SECTION 35. Section 81.168(c), Health and Safety Code, is
 16-42 amended to read as follows:

16-43 (c) The head of a facility shall discharge a person held
 16-44 under a protective custody order if:

16-45 (1) the head of the facility does not receive notice
 16-46 within 72 hours after detention begins, excluding Saturdays,
 16-47 Sundays, legal holidays, the period prescribed by Section 81.165(b)
 16-48 for an extreme weather emergency, and the duration of a public
 16-49 health disaster, that a probable cause hearing was held and the
 16-50 person's continued detention was authorized;

16-51 (2) a final court order for the management of a person
 16-52 who is infected with, has been exposed to, or is a carrier of a
 16-53 communicable disease has not been entered within the time
 16-54 prescribed by Section 81.154; or

16-55 (3) the health authority or commissioner determines
 16-56 that the person no longer meets the criteria for protective custody
 16-57 prescribed by Section 81.162.

16-58 SECTION 36. Section 81.169(a), Health and Safety Code, is
 16-59 amended to read as follows:

16-60 (a) Except as provided by Subsection (b), the judge may hold
 16-61 a hearing on an application for a court order for the management of
 16-62 a person who is infected with, has been exposed to, or is a carrier
 16-63 of a communicable disease at any suitable location in the county.
 16-64 The hearing should be held in a physical setting that is not likely
 16-65 to have a harmful effect on the public or the person.

16-66 SECTION 37. Section 81.170(f), Health and Safety Code, is
 16-67 amended to read as follows:

16-68 (f) The jury shall determine if the person is infected with,
 16-69 has been exposed to, or is the carrier of or is reasonably suspected

17-1 of being infected with, having been exposed to, or being the carrier
 17-2 of a communicable disease that presents a threat to the public
 17-3 health and, if the application is for inpatient treatment, has
 17-4 refused or failed to follow the orders of the health authority. The
 17-5 jury may not make a finding about the type of services to be
 17-6 provided to the person.

17-7 SECTION 38. Section 81.171(a), Health and Safety Code, is
 17-8 amended to read as follows:

17-9 (a) The court shall enter an order denying an application
 17-10 for a court order for temporary or extended management if after a
 17-11 hearing the judge or jury fails to find, from clear and convincing
 17-12 evidence, that the person:

17-13 (1) is infected with, has been exposed to, or is the
 17-14 carrier of or is reasonably suspected of being infected with,
 17-15 having been exposed to, or being the carrier of a communicable
 17-16 disease that presents a threat to the public health;

17-17 (2) has refused or failed to follow the orders of the
 17-18 health authority if the application is for inpatient treatment; and

17-19 (3) meets the applicable criteria for orders for the
 17-20 management of a person who is infected with, has been exposed to, or
 17-21 is a carrier of a communicable disease.

17-22 SECTION 39. Section 81.172(a), Health and Safety Code, is
 17-23 amended to read as follows:

17-24 (a) The judge or jury may determine that a person requires
 17-25 court-ordered examination, observation, isolation, or treatment
 17-26 only if the judge or jury finds, from clear and convincing evidence,
 17-27 that:

17-28 (1) the person is infected with, has been exposed to,
 17-29 or is the carrier of or is reasonably suspected of being infected
 17-30 with, having been exposed to, or being the carrier of a communicable
 17-31 disease that presents a threat to the public health and, if the
 17-32 application is for inpatient treatment, has failed or refused to
 17-33 follow the orders of the health authority or department; and

17-34 (2) as a result of the communicable disease the
 17-35 person:

17-36 (A) is likely to cause serious harm to self
 17-37 [~~himself~~]; or

17-38 (B) will, if not examined, observed, isolated, or
 17-39 treated, continue to endanger public health.

17-40 SECTION 40. Section 81.174(a), Health and Safety Code, is
 17-41 amended to read as follows:

17-42 (a) The judge shall dismiss the jury, if any, after a
 17-43 hearing in which a person is found:

17-44 (1) to be infected with, to have been exposed to, or to
 17-45 be the carrier of or to be reasonably suspected of being infected
 17-46 with, having been exposed to, or being a carrier of a communicable
 17-47 disease;

17-48 (2) to have failed or refused to follow the orders of a
 17-49 health authority or the department if the application is for
 17-50 inpatient treatment; and

17-51 (3) to meet the criteria for orders for the management
 17-52 of a patient who is infected with, has been exposed to, or is a
 17-53 carrier of a communicable disease.

17-54 SECTION 41. Section 81.176, Health and Safety Code, is
 17-55 amended to read as follows:

17-56 Sec. 81.176. DESIGNATION OF FACILITY. In a court order for
 17-57 the temporary or extended management of a person who is infected
 17-58 with, has been exposed to, or is a carrier of a communicable disease
 17-59 specifying inpatient care, the court shall commit the person to a
 17-60 health care facility designated by the commissioner or a health
 17-61 authority in accordance with Section 81.159.

17-62 SECTION 42. Section 81.183(b), Health and Safety Code, is
 17-63 amended to read as follows:

17-64 (b) The court shall appoint an attorney to represent the
 17-65 person if a hearing is scheduled. The person shall be given notice
 17-66 of the matters to be considered at the hearing. The notice must
 17-67 comply with the requirements of Section 81.155 for notice before a
 17-68 hearing on an application for court orders for the management of a
 17-69 person who is infected with, has been exposed to, or is a carrier of

18-1 a communicable disease.

18-2 SECTION 43. Section 81.186(a), Health and Safety Code, is
18-3 amended to read as follows:

18-4 (a) The court may modify an order for outpatient services at
18-5 the modification hearing if the court determines that the person
18-6 continues to meet the applicable criteria for court orders for the
18-7 management of a person who is infected with, has been exposed to, or
18-8 is a carrier of a communicable disease and that:

18-9 (1) the person has not complied with the court's order;
18-10 or

18-11 (2) the person's condition has deteriorated to the
18-12 extent that outpatient services are no longer appropriate.

18-13 SECTION 44. Section 81.188(a), Health and Safety Code, is
18-14 amended to read as follows:

18-15 (a) The court may set aside an order for the management of a
18-16 person who is infected with, has been exposed to, or is a carrier of
18-17 a communicable disease and grant a motion for rehearing for good
18-18 cause shown.

18-19 SECTION 45. Section 81.190(d), Health and Safety Code, is
18-20 amended to read as follows:

18-21 (d) The hearing is held before the court and without a jury.
18-22 The hearing must be held in accordance with the requirements for a
18-23 hearing on an application for a court order for the management of a
18-24 person who is infected with, has been exposed to, or is a carrier of
18-25 a communicable disease.

18-26 SECTION 46. Section 81.191(a), Health and Safety Code, is
18-27 amended to read as follows:

18-28 (a) An appeal from an order for the management of a person
18-29 who is infected with, has been exposed to, or is a carrier of a
18-30 communicable disease, or from a renewal or modification of an
18-31 order, must be filed in the court of appeals for the county in which
18-32 the order is entered.

18-33 SECTION 47. Section 81.193(a), Health and Safety Code, is
18-34 amended to read as follows:

18-35 (a) The head of a facility may permit a person admitted to
18-36 the facility under order for extended inpatient management of a
18-37 person who is infected with, has been exposed to, or is a carrier of
18-38 a communicable disease to leave the facility under a pass.

18-39 SECTION 48. Chapter 81, Health and Safety Code, is amended
18-40 by adding Subchapter J to read as follows:

18-41 SUBCHAPTER J. STATEWIDE INFECTIOUS DISEASE CONTROL MEASURES;
18-42 PREPARATION

18-43 Sec. 81.401. PERSONAL PROTECTIVE EQUIPMENT. (a) In this
18-44 section, "personal protective equipment" means specialized
18-45 clothing or equipment worn for protection against infectious
18-46 materials.

18-47 (b) The department shall establish a stockpile, or regional
18-48 stockpiles, of personal protective equipment to support responses
18-49 to infectious disease emergencies in the state, if funds are
18-50 appropriated for the purposes of this section.

18-51 SECTION 49. Effective September 1, 2015, Section 1001.201,
18-52 Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts
18-53 of the 83rd Legislature, Regular Session, 2013, is amended by
18-54 adding Subdivisions (4) and (5) to read as follows:

18-55 (4) "School district employee" means a person employed
18-56 by a school district who regularly interacts with students through
18-57 the course of the person's duties, including an educator, a
18-58 secretary, a school bus driver, or a cafeteria worker.

18-59 (5) "School resource officer" has the meaning assigned
18-60 by Section 1701.601, Occupations Code.

18-61 SECTION 50. Effective September 1, 2015, Subchapter H,
18-62 Chapter 1001, Health and Safety Code, as added by Chapter 1306 (H.B.
18-63 3793), Acts of the 83rd Legislature, Regular Session, 2013, is
18-64 amended by adding Section 1001.2015 to read as follows:

18-65 Sec. 1001.2015. LIMITATION ON GRANTS. For each state
18-66 fiscal year, the department may give to a local mental health
18-67 authority in the form of grants under Sections 1001.202 and
18-68 1001.203 an amount that may not exceed the lesser of:

18-69 (1) three percent of the total amount appropriated to

19-1 the department for making grants under those sections; or
 19-2 (2) \$70,000.

19-3 SECTION 51. Effective September 1, 2015, Section
 19-4 1001.202(b), Health and Safety Code, as added by Chapter 1306 (H.B.
 19-5 3793), Acts of the 83rd Legislature, Regular Session, 2013, is
 19-6 amended to read as follows:

19-7 (b) ~~The [Except as provided by Subsection (c), the]~~
 19-8 department shall make each grant to a local mental health authority
 19-9 under this section in an amount equal to \$1,000 times the number of
 19-10 employees or contractors of the authority whose training as mental
 19-11 health first aid trainers will be paid by the grant.

19-12 SECTION 52. Effective September 1, 2015, Sections
 19-13 1001.203(a) and (c), Health and Safety Code, as added by Chapter
 19-14 1306 (H.B. 3793), Acts of the 83rd Legislature, Regular Session,
 19-15 2013, are amended to read as follows:

19-16 (a) To the extent funds are appropriated to the department
 19-17 for that purpose, the department shall make grants to local mental
 19-18 health authorities to provide an approved mental health first aid
 19-19 training program, administered by mental health first aid trainers,
 19-20 at no cost to school district employees and school resource
 19-21 officers [educators].

19-22 (c) ~~The [Subject to the limit provided by Subsection (b),~~
 19-23 ~~out of the funds appropriated to the department for making grants~~
 19-24 ~~under this section, the]~~ department shall grant \$100 to a local
 19-25 mental health authority for each school district employee or school
 19-26 resource officer [educator] who successfully completes a mental
 19-27 health first aid training program provided by the authority under
 19-28 this section.

19-29 SECTION 53. Effective September 1, 2015, Subchapter H,
 19-30 Chapter 1001, Health and Safety Code, as added by Chapter 1306 (H.B.
 19-31 3793), Acts of the 83rd Legislature, Regular Session, 2013, is
 19-32 amended by adding Section 1001.2031 to read as follows:

19-33 Sec. 1001.2031. SUPPLEMENTAL GRANTS FOR TRAINING CERTAIN
 19-34 EDUCATORS IN MENTAL HEALTH FIRST AID. For each state fiscal year,
 19-35 the department may allocate any unobligated money appropriated for
 19-36 making grants under Sections 1001.202 and 1001.203 for supplemental
 19-37 grants. The department may give a supplemental grant to a local
 19-38 mental health authority that submits to the department a revised
 19-39 plan as provided under Section 1001.204 that demonstrates how the
 19-40 additional grant money would be used if made available to the
 19-41 authority.

19-42 SECTION 54. Effective September 1, 2015, Section
 19-43 1001.204(a), Health and Safety Code, as added by Chapter 1306 (H.B.
 19-44 3793), Acts of the 83rd Legislature, Regular Session, 2013, is
 19-45 amended to read as follows:

19-46 (a) Not later than July ~~[October]~~ 1 of each state fiscal
 19-47 year for which a local mental health authority will seek a grant
 19-48 from the department under Section 1001.203, the authority shall
 19-49 submit to the department a plan demonstrating the manner in which
 19-50 grants made to the authority under that section will be used:

19-51 (1) to train individuals in mental health first aid
 19-52 throughout the authority's local service area to maximize the
 19-53 number of children who have direct contact with an individual who
 19-54 has successfully completed a mental health first aid training
 19-55 program provided by the authority;

19-56 (2) to meet the greatest needs of the authority's local
 19-57 service area, as identified by the authority; and

19-58 (3) to complement existing resources and not duplicate
 19-59 established mental health first aid training efforts.

19-60 SECTION 55. Effective September 1, 2015, Section 1001.205,
 19-61 Health and Safety Code, as added by Chapter 1306 (H.B. 3793), Acts
 19-62 of the 83rd Legislature, Regular Session, 2013, is amended to read
 19-63 as follows:

19-64 Sec. 1001.205. REPORTS. (a) Not later than September 30
 19-65 [July 1] of each year, a local mental health authority shall provide
 19-66 to the department the number of:

19-67 (1) employees and contractors of the authority who
 19-68 were trained as mental health first aid trainers under Section
 19-69 1001.202 during the preceding fiscal year;

20-1 (2) educators, school district employees other than
20-2 educators, and school resource officers who completed a mental
20-3 health first aid training program offered by the authority under
20-4 Section 1001.203 during the preceding fiscal [calendar] year; and

20-5 (3) individuals who are not school district employees
20-6 or school resource officers [educators] who completed a mental
20-7 health first aid training program offered by the authority during
20-8 the preceding fiscal [calendar] year.

20-9 (b) Not later than December 1 [August 1] of each year, the
20-10 department shall compile the information submitted by local mental
20-11 health authorities as required by Subsection (a) and submit a
20-12 report to the legislature containing the number of:

20-13 (1) authority employees and contractors trained as
20-14 mental health first aid trainers during the preceding fiscal year;

20-15 (2) educators, school district employees other than
20-16 educators, and school resource officers who completed a mental
20-17 health first aid training program provided by an authority during
20-18 the preceding fiscal [calendar] year; and

20-19 (3) individuals who are not school district employees
20-20 or school resource officers [educators] who completed a mental
20-21 health first aid training program provided by an authority during
20-22 the preceding fiscal [calendar] year.

20-23 SECTION 56. Effective January 1, 2016, Section 11.1825, Tax
20-24 Code, is amended by amending Subsections (s) and (v) and adding
20-25 Subsection (z) to read as follows:

20-26 (s) Unless otherwise provided by the governing body of a
20-27 taxing unit any part of which is located in a county with a
20-28 population of at least 1.8 million under Subsection (x) or as
20-29 provided by Subsection (z), for property described by Subsection
20-30 (f)(1), the amount of the exemption under this section from
20-31 taxation is 50 percent of the appraised value of the property.

20-32 (v) Except as provided by Subsection (z), notwithstanding
20-33 [Notwithstanding] any other provision of this section, an
20-34 organization may not receive an exemption from taxation of property
20-35 described by Subsection (f)(1) by a taxing unit any part of which is
20-36 located in a county with a population of at least 1.8 million unless
20-37 the exemption is approved by the governing body of the taxing unit
20-38 in the manner provided by law for official action.

20-39 (z) Notwithstanding any other provision of this section, an
20-40 owner of real property described by Subsection (f)(1) or (2) is
20-41 entitled to an exemption under this section from taxation of 100
20-42 percent of the appraised value of the property regardless of
20-43 whether the owner meets the requirements of Subsection (b) or of
20-44 Subsections (c) and (d) if:

20-45 (1) the owner is exempt from federal income taxation
20-46 under Section 501(a), Internal Revenue Code of 1986, as amended, by
20-47 being listed as an exempt entity under Section 501(c)(3) of that
20-48 code and the owner otherwise qualifies for an exemption for the
20-49 property under this section;

20-50 (2) the property was previously owned by a local
20-51 government corporation created by a municipality under Chapter 431,
20-52 Transportation Code, or Chapter 394, Local Government Code, or a
20-53 predecessor statute for purposes that include promoting,
20-54 developing, encouraging, and maintaining affordable housing in a
20-55 tax increment financing reinvestment zone created by the
20-56 municipality under Chapter 311, Tax Code; and

20-57 (3) the property is located in a county with a
20-58 population of at least four million.

20-59 SECTION 57. (a) In this section, "task force" means the Task
20-60 Force to Study Population Growth in Texas established under this
20-61 section.

20-62 (b) The Task Force to Study Population Growth in Texas is
20-63 established for the purposes of assessing the effects of population
20-64 growth on counties in this state relating to:

- 20-65 (1) housing;
- 20-66 (2) businesses;
- 20-67 (3) available land resources;
- 20-68 (4) the state's economy;
- 20-69 (5) health care services; and

21-1 (6) county jails.

21-2 (c) The task force is composed of the following nine
21-3 members:

21-4 (1) three state or local officials appointed by the
21-5 governor;

21-6 (2) three state or local officials appointed by the
21-7 lieutenant governor; and

21-8 (3) three state or local officials appointed by the
21-9 speaker of the house of representatives.

21-10 (d) The members of the task force shall elect a presiding
21-11 officer from among the membership.

21-12 (e) The offices of the governor, lieutenant governor, and
21-13 speaker of the house of representatives shall provide staff support
21-14 to the task force.

21-15 (f) The task force shall hold public hearings to achieve the
21-16 purposes described by Subsection (b) of this section.

21-17 (g) A member of the task force is not entitled to receive
21-18 compensation for service on the task force but is entitled to
21-19 reimbursement of the travel expenses incurred by the member while
21-20 conducting the business of the task force.

21-21 (h) The task force may accept gifts and grants from any
21-22 source to be used to carry out a function of the task force.

21-23 (i) Not later than November 1, 2016, the task force shall
21-24 submit a final report to the governor, the lieutenant governor, the
21-25 speaker of the house of representatives, and the appropriate
21-26 standing committees of the legislature. The report shall include a
21-27 summary and analysis of:

21-28 (1) hearings and studies conducted by the task force;

21-29 (2) legislation proposed by the task force; and

21-30 (3) other findings and recommendations made by the
21-31 task force.

21-32 (j) Not later than December 1, 2015, the governor, the
21-33 lieutenant governor, and the speaker of the house of
21-34 representatives shall make the appointments to the task force as
21-35 described under Subsection (c) of this section.

21-36 (k) The task force is abolished and this section expires
21-37 August 31, 2017.

21-38 SECTION 58. The changes in law made by this Act in amending
21-39 Chapter 55, Code of Criminal Procedure, and in amending Section
21-40 124.001(b), Government Code, apply to the expunction of arrest
21-41 records and files for an arrested person who successfully completes
21-42 a veterans treatment court program under Chapter 124, Government
21-43 Code, or former law, before, on, or after September 1, 2015,
21-44 regardless of when the underlying arrest occurred.

21-45 SECTION 59. For a person who is arrested for a Class B or
21-46 Class C misdemeanor and who is entitled to expunction under Article
21-47 55.01(a)(2)(A)(ii)(a), Code of Criminal Procedure, as added by this
21-48 Act, based on a successful completion of a veterans treatment court
21-49 program under Chapter 124, Government Code, or former law, before
21-50 the effective date of this Act, notwithstanding the 30-day time
21-51 limit provided for the court to enter an automatic order of
21-52 expunction under Section 1a(a-1), Article 55.02, Code of Criminal
21-53 Procedure, as added by this Act, the court shall enter an order of
21-54 expunction for the person as soon as practicable after the court
21-55 receives written notice from any party to the case about the
21-56 person's entitlement to the expunction.

21-57 SECTION 60. The change in law made by this Act by adding
21-58 Sections 124.001(c) and (d), Government Code, and amending Section
21-59 124.002, Government Code, applies to a person who, on or after
21-60 September 1, 2015, enters a veterans treatment court program under
21-61 Chapter 124, Government Code, regardless of whether the person
21-62 committed the offense for which the person enters the program
21-63 before, on, or after the effective date of this Act.

21-64 SECTION 61. The change in law made by this Act in adding
21-65 Section 124.006, Government Code, applies to a person who, on or
21-66 after September 1, 2015, is under the supervision of a veterans
21-67 treatment court program.

21-68 SECTION 62. Section 11.1825, Tax Code, as amended by this
21-69 Act, applies only to ad valorem taxes imposed for a tax year

22-1 beginning on or after January 1, 2016.

22-2 SECTION 63. Effective September 1, 2015, the following are
22-3 repealed:

22-4 (1) Section 21.044(c-2), Education Code;

22-5 (2) Section 1001.202(c), Health and Safety Code, as
22-6 added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature,
22-7 Regular Session, 2013;

22-8 (3) Section 1001.203(b), Health and Safety Code, as
22-9 added by Chapter 1306 (H.B. 3793), Acts of the 83rd Legislature,
22-10 Regular Session, 2013; and

22-11 (4) Section 250.006(b), Local Government Code.

22-12 SECTION 64. To the extent of any conflict, this Act prevails
22-13 over another Act of the 84th Legislature, Regular Session, 2015,
22-14 relating to nonsubstantive additions to and corrections in enacted
22-15 codes.

22-16 SECTION 65. Except as otherwise provided by this Act, this
22-17 Act takes effect immediately if it receives a vote of two-thirds of
22-18 all the members elected to each house, as provided by Section 39,
22-19 Article III, Texas Constitution. If this Act does not receive the
22-20 vote necessary for immediate effect, this Act takes effect
22-21 September 1, 2015.

22-22

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