

By: White

H.B. No. 637

A BILL TO BE ENTITLED

AN ACT

relating to a committee formed to adopt a plan to deal with mental illness in the juvenile justice system.

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

SECTION 1. Subtitle C, Title 7, Health and Safety Code, is amended by adding Chapter 581 to read as follows:

CHAPTER 581. LOCAL COMMITTEE ON CHILDREN'S MENTAL HEALTH

Sec. 581.001. DEFINITIONS. In this chapter:

(1) "Child" has the meaning assigned by Section 51.02, Family Code.

(2) "Committee" means a local committee on children's mental health formed by a local mental health authority.

(3) "Department" means the Department of State Health Services.

(4) "Region" means the local service area for which a local mental health authority designated under Section 533.035 is responsible.

Sec. 581.002. LOCAL COMMITTEE ON CHILDREN'S MENTAL HEALTH.

(a) Each local mental health authority shall form a local committee on children's mental health encompassing the authority's region.

(b) The committee shall develop and adopt a plan and submit the plan to the department not later than January 1, 2019.

Sec. 581.003. COMPOSITION OF COMMITTEE. The local mental health authority shall appoint the following members to the

1 committee, if present in the region:

2 (1) a county judge or a county commissioner to serve as
3 committee chair;

4 (2) a representative from each sheriff's department;

5 (3) a representative from other law enforcement
6 agencies;

7 (4) a representative from the office of each
8 prosecuting attorney, as that term is defined by Section 51.02,
9 Family Code;

10 (5) a representative from the Department of Family and
11 Protective Services' child protective services division;

12 (6) a representative from each juvenile probation
13 department;

14 (7) a representative from the local mental health
15 authority;

16 (8) a juvenile court judge;

17 (9) a juvenile arraignment magistrate;

18 (10) a representative from a faith-based or nonprofit
19 organization;

20 (11) a representative from a private hospital; and

21 (12) a representative from a public hospital.

22 Sec. 581.004. DEVELOPMENT OF PLAN. (a) The committee shall
23 develop and adopt a plan identifying:

24 (1) the population of children with mental illness who
25 are committed to the Texas Juvenile Justice Department;

26 (2) a measurable goal for reducing the population of
27 children with mental illness who are committed to the Texas

1 Juvenile Justice Department;

2 (3) a method for improving indigent defense for
3 children with mental illness who are alleged to have engaged in
4 delinquent conduct or conduct indicating a need for supervision
5 under Section 51.03, Family Code;

6 (4) a method for addressing mental illness among
7 children who are the subject of an investigation under Chapter 261,
8 Family Code;

9 (5) a method for quickly identifying and diverting
10 children with mental illness from the Texas Juvenile Justice
11 Department in the interest of public safety, justice, and public
12 health; and

13 (6) a method for providing community supervision to:

14 (A) reduce recidivism among children adjudicated
15 as having engaged in delinquent conduct or conduct indicating a
16 need for supervision under Section 51.03, Family Code; and

17 (B) reduce the population of children aging out
18 of the Texas Juvenile Justice Department and into the adult
19 criminal justice system.

20 (b) The committee must unanimously agree on the adopted
21 plan.

22 Sec. 581.005. DISSOLUTION OF COMMITTEE. The committee
23 shall dissolve after the committee submits its plan to the
24 department.

25 Sec. 581.006. CONDITION TO RECEIVE CONTINUED STATE FUNDING
26 FOR BEHAVIORAL HEALTH. The department may not distribute to a local
27 mental health authority state funds for mental or behavioral health

1 services for the fiscal biennium beginning September 1, 2019,
2 unless the authority's committee has submitted to the department
3 its plan on or before January 1, 2019.

4 Sec. 581.007. EXPIRATION. This chapter expires August 31,
5 2021.

6 SECTION 2. This Act takes effect September 1, 2017.