

By: Miller

H.B. No. 2913

A BILL TO BE ENTITLED

AN ACT

relating to the transfer and transportation from one facility to another of an individual under an emergency mental health detention.

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

SECTION 1. Section 573.002, Health and Safety Code, is amended by adding Subsection (f) to read as follows:

(f) If a person who has been detained under Section 573.001 and transported to a facility under this section subsequently is transported to a mental health facility as authorized by Section 573.022(d), a copy of the notification of detention form filed under Subsection (a) must accompany the detained person to the mental health facility.

SECTION 2. Section 573.022, Health and Safety Code, is amended by adding Subsection (d) to read as follows:

(d) A local mental health authority that determines that a person detained under Section 573.002 should be transported to an appropriate mental health facility before the expiration of the period for emergency detention described by Section 573.021(b) may issue a request for a peace officer to provide transportation. On receipt by a peace officer from the officer's supervisor of a notice of a request, the peace officer immediately shall transport the detained person to the appropriate mental health facility. A copy of the notification of emergency detention for the detained person

1 filed under Section 573.002(a) must accompany the detained person
2 to the receiving mental health facility. The receiving facility
3 may not require any form other than the copy of the peace officer's
4 notification of detention as a predicate to accepting a person for
5 emergency detention.

6 SECTION 3. The changes in law made by this Act apply to an
7 emergency detention under Chapter 573, Health and Safety Code, that
8 begins on or after the effective date of this Act. An emergency
9 detention under Chapter 573, Health and Safety Code, that begins
10 before the effective date of this Act is governed by the law as it
11 existed immediately before that date, and that law is continued in
12 effect for that purpose.

13 SECTION 4. This Act takes effect September 1, 2017.