

By: Coleman

H.B. No. 4142

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to counties and other governmental entities operations  
3 regarding behavioral health.

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

5 SECTION 1. Section 571.014, Health and Safety Code, is  
6 amended by amending Subsection (c) to read as follows:

7 (c) A person may ~~initially~~ file a paper with the county  
8 clerk by the use of reproduced, photocopied, or electronically  
9 transmitted paper ~~if the person files the original signed copies of~~  
10 ~~the paper with the clerk not later than the 72nd hour after the hour~~  
11 ~~on which the initial filing is made. If the 72-hour period ends on a~~  
12 ~~Saturday, Sunday, or legal holiday, the filing period is extended~~  
13 ~~until 4 p.m. on the first succeeding business day. If extremely~~  
14 ~~hazardous weather conditions exist or a disaster occurs, the~~  
15 ~~presiding judge or magistrate may by written order made each day~~  
16 ~~extend the filing period until 4 p.m. on the first succeeding~~  
17 ~~business day. The written order must declare that an emergency~~  
18 ~~exists because of the weather or the occurrence of a disaster. If a~~  
19 ~~person detained under this subtitle would otherwise be released~~  
20 ~~because the original signed copy of a paper is not filed within the~~  
21 ~~72-hour period but for the extension of the filing period under this~~  
22 ~~section, the person may be detained until the expiration of the~~  
23 ~~extended filing period. This subsection does not affect another~~  
24 ~~provision of this subtitle requiring the release or discharge of a~~

1 ~~person.~~ If the paper is filed by the use of reproduced,  
2 photocopied, or electronically transmitted paper, the person shall  
3 maintain the original paper and shall provide it to the parties or  
4 the court upon request.

5 SECTION 2. Section 571.013, Health and Safety Code, is  
6 amended to read as follows:

7 Sec. 571.013. METHOD OF GIVING NOTICE. Except as otherwise  
8 provided by this subtitle, notice required under this subtitle may  
9 be given by a constable or sheriff delivering a copy of the notice  
10 or document in person or in another manner directed by the court  
11 that is reasonably calculated to give actual notice.

12 SECTION 3. Section 1701.310, Occupations Code, is amended  
13 by amending Subsections (a) to read as follows:

14 Sec. 1701.310. APPOINTMENT OF COUNTY JAILER; TRAINING  
15 REQUIRED. (a) Except as provided by Subsection (e), a person may  
16 not be appointed as a county jailer, except on a temporary basis,  
17 unless the person has satisfactorily completed a preparatory  
18 training program which includes 24 hours of training to facilitate  
19 interaction with persons with mental impairments, as required by  
20 the commission, in the operation of a county jail at a school  
21 operated or licensed by the commission.

22 SECTION 4. Section 161.325, Health and Safety Code, is  
23 amended by adding Subsection (b-1) to read as follows:

24 (b-1) The program on the list must include components that  
25 provide for training counselors, teachers, nurses, administrators,  
26 and other staff, as well as law enforcement officers and social  
27 workers who regularly interact with students, to recognize students

1 displaying signs of physical or emotional trauma.

2 (1) intervene effectively with students described by  
3 this subdivision by providing notice and referral to a parent or  
4 guardian so appropriate action, such as seeking mental health or  
5 substance abuse services, may be taken by a parent or guardian.

6 SECTION 5. Section 161.325, Health and Safety Code, is  
7 amended by adding Subsections (c-3) and (c-4) to read as follows:

8 (c-3) Each school district shall report annually to the  
9 Texas Education Agency:

10 (1) the number of teachers, principals, and counselors  
11 employed by the district who have completed training under this  
12 section; and

13 (2) the total number of teachers, principals, and  
14 counselors employed by the district.

15 (c-4) The Texas Education Agency shall make the information  
16 reported under Subsection (c-3) available to the public on the  
17 agency's Internet website.

18 SECTION 6. Chapter 571, Health and Safety Code is amended by  
19 adding Articles 571.0161 to read as follows:

20 Sec. 571.0161. MENTAL HEALTH PUBLIC DEFENDER'S OFFICE. (a)  
21 A court may with permission of the commissioners court create a  
22 mental health public defender's office. A mental health public  
23 defender of such office may be appointed by the court in lieu of a  
24 private attorney.

25 SECTION 7. The following provision of the Health and Safety  
26 Code are repealed:

27 (1) Article 571.014(d).

1 SECTION 8. This Act takes effect September 1, 2017.