

By: Whitmire, et al.
(Davis of Harris)

S.B. No. 613

A BILL TO BE ENTITLED

AN ACT

1
2 relating to services provided by the Health and Human Services
3 Commission to sexually violent offenders who are incompetent to
4 attend sex offender treatment.

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

6 SECTION 1. Section 841.0835, Health and Safety Code, is
7 amended to read as follows:

8 Sec. 841.0835. COMMITTED PERSONS WITH SPECIAL NEEDS.

9 (a) The Health and Human Services Commission, after coordination
10 [~~shall coordinate~~] with the office, shall [~~to~~] provide psychiatric
11 services, disability services, and housing for a committed person
12 with an intellectual or developmental disability, a mental illness,
13 or a physical disability that prevents the person from effectively
14 participating in the sex offender treatment program administered by
15 the office.

16 (b) For a committed person who the office has determined is
17 unable to effectively participate in the sex offender treatment
18 program because the person's mental illness prevents the person
19 from understanding and internalizing the concepts presented by the
20 program's treatment material, the Health and Human Services
21 Commission shall provide inpatient mental health services until the
22 person is able to participate effectively in the sex offender
23 treatment program.

24 (c) A person who is adjudicated as a sexually violent

1 predator under this chapter and who has a mental illness that
2 prevents the person from effectively participating in a sex
3 offender treatment program presents a substantial risk of serious
4 harm to the person or others for purposes of Chapter [574](#).

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