

By: Price

H.B. No. 599

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the delivery of certain mental health records of a
3 defendant to the Texas Department of Criminal Justice.

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

5 SECTION 1. Section 8(c), Article 42.09, Code of Criminal
6 Procedure, is amended to read as follows:

7 (c) A county that transfers a defendant to the Texas
8 Department of Criminal Justice under this article shall also
9 deliver to the designated officer any presentence or postsentence
10 investigation report, revocation report, psychological or
11 psychiatric evaluation of the defendant, including a written
12 assessment provided to a court under Article 16.22(a)(1)(B) or an
13 evaluation prepared for the juvenile court before transferring the
14 defendant to criminal court and contained in the criminal
15 prosecutor's file, and available social or psychological
16 background information relating to the defendant and may deliver to
17 the designated officer any additional information upon which the
18 judge or jury bases the punishment decision.

19 SECTION 2. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2019.