

By: Moody

H.B. No. 1318

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the provision of mental health services to persons  
3 younger than 18 years of age.

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

5 SECTION 1. Section 572.001(a), Health and Safety Code, is  
6 amended to read as follows:

7 (a) A person 16 years of age or older may request admission  
8 to an inpatient mental health facility or for outpatient mental  
9 health services by filing a request with the administrator of the  
10 facility where admission or outpatient treatment is requested. If  
11 the person is younger than 18 years of age, the [The] parent,  
12 managing conservator, [or] guardian, or adult who has had actual  
13 care, custody, and control of the person for the six months  
14 preceding the request [of a person younger than 18 years of age] may  
15 request the admission of the person to an inpatient mental health  
16 facility or for outpatient mental health services by filing a  
17 request with the administrator of the facility where admission or  
18 outpatient treatment is requested.

19 SECTION 2. Section 573.001(a), Health and Safety Code, is  
20 amended to read as follows:

21 (a) A peace officer, without a warrant, may take a person,  
22 regardless of age, into custody if the officer:

23 (1) has reason to believe and does believe that:

24 (A) the person is a person with mental illness;

1 and

2 (B) because of that mental illness there is a  
3 substantial risk of serious harm to the person or to others unless  
4 the person is immediately restrained; and

5 (2) believes that there is not sufficient time to  
6 obtain a warrant before taking the person into custody.

7 SECTION 3. This Act takes effect September 1, 2019.