

By: Klick

H.B. No. 3736

A BILL TO BE ENTITLED

AN ACT

relating to providing a person taken into custody for emergency detention with information concerning the person's rights.

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

SECTION 1. Section 573.001(g), Health and Safety Code, is amended to read as follows:

(g) A peace officer who takes a person into custody under Subsection (a) shall immediately inform the person orally in simple, nontechnical terms:

(1) of the reason for the detention; and

(2) that a staff member of the facility will inform the person of the person's rights before questioning, assessing, or examining the person [~~within 24 hours after the time the person is admitted to a facility~~], as provided by Section 573.025(b).

SECTION 2. Section 573.025(b), Health and Safety Code, is amended to read as follows:

(b) A person apprehended, detained, or transported for emergency detention under this subtitle shall be informed of the rights provided by this section and this subtitle:

(1) orally in simple, nontechnical terms, before the person is questioned, assessed, or examined [~~within 24 hours after the time the person is admitted to a facility~~], and in writing in the person's primary language if possible; or

(2) through the use of a means reasonably calculated

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1 to communicate with a hearing or visually impaired person, if  
2 applicable.

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