

BILL ANALYSIS

Senate Research Center
87R5661 CAE-D

H.B. 1213
By: Darby (Seliger)
Jurisprudence
5/10/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Health and Human Services Commission operates ten (10) state hospitals that provide emergency care for psychiatric illnesses. Under current law, the county that houses a state hospital is required to pay for the cost of sending a court reporter to the hospital for a legal hearing involving an individual who is detained due to mental illness, even if the detained individual is not a resident of the county.

However, current statute does allow the county that houses a state hospital to recover costs such as attorney and prosecutor fees, physician examination fees, and transportation expenses from the county where the detained individual resides, or the county that initiates the detention proceeding.

As there is no mechanism in place for the counties that house state hospitals to recover the incurred court reporter costs, H.B. 1213 allows the counties that house state hospitals to recoup court reporter fees in the same manner that they may recover other costs of a legal hearing or proceeding.

H.B. 1213 amends current law relating to court reporter costs incurred in a hearing or proceeding for the involuntary detention of a person with mental illness.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 571.018(c), Health and Safety Code, to provide that costs under Section 571.018 (Costs) include, among other costs, court reporter costs incurred in a hearing or proceeding for the involuntary detention of a person with mental illness. Makes nonsubstantive changes.

SECTION 2. Makes application of Section 571.018(c), Health and Safety Code, as amended by this Act, prospective, as regards to costs incurred.

SECTION 3. Effective date: September 1, 2021.