

BILL ANALYSIS

H.B. 1213
By: Darby
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, a county that houses a Health and Human Services Commission state hospital is obligated to pay for the cost of sending a court reporter to the hospital for certain legal hearings involving a person detained due to mental illness, even if that person is not a resident of the county but rather is transferred from a neighboring county to receive treatment at the hospital. No formal means exists for the county to recoup the incurred court reporter costs, and the surrounding counties who send their residents to the state hospital are not obligated to pay for those costs. Concerns have been raised regarding the inequity of one county being responsible for court reporter costs associated with hearings involving individuals transferred by a surrounding county. H.B. 1213 seeks to address this issue by making those costs the responsibility of the county in which the applicable action to initiate proceedings was taken.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1213 amends the Health and Safety Code to include court reporter costs among the costs for a hearing or proceeding under the Texas Mental Health Code that must be paid by the county in which emergency detention procedures are initiated or, if no such procedures are initiated, the county that accepts an application for court-ordered mental health services, issues an order for protective custody, or issues an order for temporary mental health services.

EFFECTIVE DATE

September 1, 2021.