87R9911 JG-D

By:  Cain H.B. No. 4541

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)  of the warning described by Section 2(a), Article 38.22, Code of Criminal Procedure; and

(3)  that a staff member of the facility will inform the person of the person's rights at [~~within 24 hours after~~] the time the person is admitted to a facility and before questioning, assessing, or examining the person, 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, at [~~within 24 hours after~~] the time the person is admitted to a facility and before the person is questioned, assessed, or examined, and in writing in the person's primary language if possible; or

(2)  through the use of a means reasonably calculated to communicate with a hearing or visually impaired person, if applicable.

SECTION 3.  This Act takes effect September 1, 2021.