87R10311 GCB-F

By:  Hinojosa S.B. No. 1398

A BILL TO BE ENTITLED

AN ACT

relating to the payment of costs for certain mental health hearings or proceedings and a county's entitlement to reimbursement for those costs.

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

SECTION 1.  Sections 571.018(d) and (i), Health and Safety Code, are amended to read as follows:

(d)  A county is entitled to reimbursement for costs actually paid by the county from[~~:~~

[~~(1) the patient; or~~

[~~(2)~~] a person or estate liable for the patient's support in a department mental health facility.

(i)  The county may not require a person [~~other than the patient~~] to pay any costs associated with a hearing or proceeding under this subtitle, including a filing fee or other court costs imposed under Chapter 118, Local Government Code, Chapter 51, Government Code, or other law, unless the county first determines that[~~:~~

[~~(1) the costs relate to services provided or to be provided in a private mental hospital; or~~

[~~(2)~~] the person charged with the costs is a person or estate liable for the patient's support in a department mental health facility.

SECTION 2.  Section 571.018(h), Health and Safety Code, is repealed.

SECTION 3.  The changes in law made by this Act apply only to a cost incurred on or after the effective date of this Act. A cost incurred before the effective date of this Act is governed by the laws in effect at that time, and the former law is continued in effect for that purpose.

SECTION 4.  This Act takes effect September 1, 2021.