

By: Hinojosa

S.B. No. 1398

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the payment of costs for certain mental health hearings
3 or proceedings and a county's entitlement to reimbursement for
4 those costs.

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

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

8 (d) A county is entitled to reimbursement for costs actually
9 paid by the county from[+]

10 [~~(1) the patient, or~~

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

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

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

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

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

1 repealed.

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

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