88R3673 GCB-D

By:  Moody H.B. No. 1400

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of outpatient treatment programs to provide court-ordered outpatient mental health services in certain counties.

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

SECTION 1.  Subchapter C, Chapter 574, Health and Safety Code, is amended by adding Sections 574.038 and 574.039 to read as follows:

Sec. 574.038.  ESTABLISHMENT OF REGIONAL ASSISTED OUTPATIENT TREATMENT PROGRAMS. The commissioners courts of two or more counties may establish a regional assisted outpatient treatment program to provide court-ordered outpatient mental health services under this chapter in the participating counties.

Sec. 574.039.  MANDATORY PROGRAM IN CERTAIN COUNTIES. (a) Subject to Subsection (b), the commissioners court of a county with a population of more than 200,000 shall establish a program to provide court-ordered outpatient mental health services under this chapter and apply for federal and state funding to pay the program costs. The criminal justice division of the governor's office may assist a county in applying for federal funding.

(b)  A county is required to establish a program to provide court-ordered outpatient mental health services under this chapter only if the county receives federal or state funding specifically for that purpose in an amount sufficient to pay the program costs.

(c)  A county that is required to establish a program to provide court-ordered outpatient mental health services under this chapter and fails to establish or to maintain that program is ineligible to receive grant funding from this state or any state agency.

SECTION 2.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.