By: Moody

H.B. No. 1400

A BILL TO BE ENTITLED

1   AN ACT

2 relating to the establishment of outpatient treatment programs to

3 provide court-ordered outpatient mental health services in certain

4 counties.

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

6   SECTION 1. Subchapter C, Chapter 574, Health and Safety

7 Code, is amended by adding Sections 574.038 and 574.039 to read as

8 follows:

9   Sec. 574.038. ESTABLISHMENT   OF   REGIONAL   ASSISTED

10 OUTPATIENT TREATMENT PROGRAMS. The commissioners courts of two or

11 more   counties   may   establish   a   regional   assisted   outpatient

12 treatment   program   to   provide   court-ordered   outpatient   mental

13 health services under this chapter in the participating counties.

14   Sec. 574.039. MANDATORY PROGRAM IN CERTAIN COUNTIES. (a)

15 Subject to Subsection (b), the commissioners court of a county with

16 a population of more than 200,000 shall establish a program to

17 provide court-ordered outpatient mental health services under this

18 chapter and apply for federal and state funding to pay the program

19 costs. The criminal justice division of the governor's office may

20 assist a county in applying for federal funding.

21   (b) A county is required to establish a program to provide

22 court-ordered outpatient mental health services under this chapter

23 only if the county receives federal or state funding specifically

24 for that purpose in an amount sufficient to pay the program costs.

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1   (c) A county that is required to establish a program to

2 provide court-ordered outpatient mental health services under this

3 chapter and fails to establish or to maintain that program is

4 ineligible to receive grant funding from this state or any state

5 agency.

6   SECTION 2. This Act takes effect immediately if it receives

7 a vote of two-thirds of all the members elected to each house, as

8 provided by Section 39, Article III, Texas Constitution. If this

9 Act does not receive the vote necessary for immediate effect, this

10 Act takes effect September 1, 2023.