

By: Cain

H.B. No. 2417

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

1 before the person is questioned, assessed, or examined, and in
2 writing in the person's primary language if possible; or

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

6 SECTION 3. This Act takes effect September 1, 2023.