

By: Jones of Harris

H.B. No. 3346

A BILL TO BE ENTITLED

AN ACT

relating to the administration of medication to certain persons in the custody of a sheriff.

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

SECTION 1. Article 46B.0825, Code of Criminal Procedure, is amended by amending Subsections (a) and (b) and adding Subsection (a-1) to read as follows:

(a) A sheriff or sheriff's deputy having custody of a defendant discharged from a facility, jail-based competency restoration program, or outpatient competency restoration program ~~[for transportation as required by Article 46B.0805 or 46B.082 or during proceedings described by Article 46B.084]~~ shall, according to information available at the time and unless directed otherwise by a physician treating the defendant:

(1) ~~[]~~ ensure that the defendant is provided with the types and dosages of medication prescribed for the defendant; and

(2) in accordance with applicable law, compel the defendant to take all prescribed medication to ensure the defendant's continuity of care.

(a-1) If a defendant described by Subsection (a) is being treated with a psychotropic medication at the time the defendant is discharged, the sheriff or sheriff's deputy shall ensure that administration of the medication continues unless directed otherwise by the physician for the jail. The jail physician must

1 appropriately document the need for any discontinuation or other
2 change in the use or amount of medication after consulting with the
3 physician who treated the defendant at the facility or program to
4 ensure that the change does not adversely affect the defendant's
5 mental health or ability to continue with court proceedings.

6 (b) The commission shall reimburse [~~To the extent funds are~~
7 ~~appropriated for that purpose,~~] a sheriff for the cost of [~~is~~
8 ~~entitled to reimbursement from the state for~~] providing the
9 medication required by this article [~~Subsection (a)~~].

10 SECTION 2. Article [46B.0825](#)(c), Code of Criminal Procedure,
11 is repealed.

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