

By: Jones of Harris

H.B. No. 3346

Substitute the following for H.B. No. 3346:

By: Rosenthal

C.S.H.B. No. 3346

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the administration of medication to certain persons in
3 the custody of a sheriff.

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

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

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

15 (1) [7] ensure that the defendant is provided with the
16 types and dosages of medication prescribed for the defendant; and

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

20 (a-1) If a defendant described by Subsection (a) is being
21 treated with a psychotropic medication at the time the defendant is
22 discharged, the sheriff or sheriff's deputy shall ensure that
23 administration of the medication continues unless directed
24 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11 is repealed.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.