

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 adding Subsection (a-1) and amending Subsection (b) to read as follows:

(a-1) If a defendant described by Subsection (a) is being treated with a psychotropic medication at the time the defendant is discharged from the facility or jail-based competency restoration program or outpatient competency restoration program and transferred into the sheriff's custody, 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 appropriately document the need for any discontinuation or other change in the use or amount of medication after consulting with the physician who treated the defendant at the facility or program to ensure that the change does not adversely affect the defendant's mental health or ability to continue with court proceedings.

(b) To the extent funds are appropriated for that purpose, a sheriff is entitled to reimbursement from the state for providing the medication required by this article [~~Subsection (a)~~].

SECTION 2. Article 46B.0825(c), Code of Criminal Procedure,

1 is repealed.

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