

BILL ANALYSIS

H.B. 171
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, an individual with a chemical dependency may be subject to court-ordered treatment at an applicable facility for no more than 90 days. However, there is no statutory requirement for the minimum number of days the individual must attend the treatment facility, which can lead to inconsistencies in the evaluation process and treatment timelines. H.B. 171, the Anell Borrego Act, seeks to address this issue by setting a minimum duration for court-ordered treatment for chemical dependency and standardizing medical examination criteria to ensure that treatment recommendations are based on clear and consistent evaluations.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 171 amends the Health and Safety Code to set 60 days as the minimum duration of an order for court-ordered treatment of a qualifying person with a chemical dependency and, if applicable, a renewal of such an order. The bill expands the grounds on which a treatment facility administrator may discharge a patient before the court order for the treatment expires to include a determination by the physician treating the patient that the patient no longer meets the criteria for court-ordered treatment.

H.B. 171 changes the requirement that a certificate of medical examination for chemical dependency include the examining physician's opinions as to whether the proposed patient is a person with a chemical dependency and whether certain conditions specified in current law regarding the proposed patient apply. The bill retains those specified conditions but provides that the opinion must instead:

- state that the proposed patient is a person with a chemical dependency; and
- state that any of the specified conditions is a result of the chemical dependency.

H.B. 171 applies only to an application for court-ordered treatment for chemical dependency that is filed on or after the bill's effective date. An application that is filed before that effective date is governed by the law as it existed immediately before that date, and that law is continued in effect for that purpose.

EFFECTIVE DATE

September 1, 2025.