

By: Sparks

S.B. No. 2446

A BILL TO BE ENTITLED

AN ACT

relating to the composition of the governing bodies of local mental health authorities and reports available to the governing body members.

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

SECTION 1. Section 533.035, Health and Safety Code, is amended by adding Subsection (f) to read as follows:

(f) Each local mental health authority shall:

(1) prepare a monthly expense report detailing each expenditure the local mental health authority made in the preceding month; and

(2) make the report available in an electronic format to each member of the governing body, including ex officio nonvoting members.

SECTION 2. Section 533.0351, Health and Safety Code, is amended by amending Subsections (a), (b), (c), and (c-1) and adding Subsections (a-1) and (c-2) to read as follows:

(a) Each ~~[If a]~~ local mental health authority must have ~~[has]~~ a governing body. The ~~[, the]~~ governing body must include:

(1) for a local authority that serves only one county, the sheriff of the county ~~[as an ex officio nonvoting member]~~; and

(2) for a local authority that serves two or more counties, two sheriffs chosen in accordance with Subsection (b), one of whom may serve as an ex officio nonvoting member ~~[members]~~.

1        (a-1) At least one voting member of the governing body of a  
2 local mental health authority must be a member of the public who:

3            (1) has experience in business or as an employee in a  
4 corporate setting;

5            (2) has not served in a public elective office; and

6            (3) is appointed by the governing bodies of the local  
7 authority's participating local agencies in accordance with  
8 Chapter 534 or, if the local authority does not have a participating  
9 local agency, the local authority's governing body.

10        (b) In selecting sheriffs to serve as members of the  
11 governing body under Subsection (a)(2), a [A] local mental health  
12 authority that serves two or more counties shall take the median  
13 population size of each of those counties and choose:

14            (1) one sheriff of a county with a population above the  
15 median population size to serve as a [an ex officio nonvoting]  
16 member under Subsection (a); and

17            (2) one sheriff of a county with a population below the  
18 median population size to serve as a [an ex officio nonvoting]  
19 member under Subsection (a).

20        (c) A sheriff who is chosen to serve as a member of the  
21 governing body of a local mental health authority in accordance  
22 with this section may designate a representative to serve as a  
23 member of the body in the sheriff's place as a [an ex officio  
24 nonvoting] member under Subsection (a). Except as provided by  
25 Subsection (c-1), for a local authority that serves two or more  
26 counties, one sheriff or designated representative of the sheriff  
27 may serve [a sheriff or representative of the sheriff serves] as an

1 ex officio nonvoting member under Subsection (a) for the duration  
2 of the applicable sheriff's term in office.

3 (c-1) For a local mental health authority that serves two or  
4 more counties, the [A] local [~~mental health~~] authority may rotate  
5 the position of sheriff who serves as an [~~positions of~~] ex officio  
6 nonvoting member [~~members as~~] chosen in accordance with Subsection  
7 (b) among the other sheriffs of the counties served by the local  
8 authority. A local authority shall consult with each sheriff of the  
9 counties served by the local authority in rotating the position of  
10 sheriff serving as an [~~positions of~~] ex officio nonvoting member  
11 [~~members~~] under this subsection.

12 (c-2) A person employed by a local mental health authority  
13 may not serve as a member of the authority's governing body.

14 SECTION 3. Section [533.0351](#)(e), Health and Safety Code, is  
15 repealed.

16 SECTION 4. This Act takes effect September 1, 2025.