

1-1 By: Sparks S.B. No. 2446
1-2 (In the Senate - Filed March 13, 2025; March 25, 2025, read
1-3 first time and referred to Committee on Health & Human Services;
1-4 May 7, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; May 7, 2025, sent
1-6 to printer.)

1-7	COMMITTEE VOTE				
1-8		Yea	Nay	Absent	PNV
1-9	Kolkhorst	X			
1-10	Perry	X			
1-11	Blanco	X			
1-12	Cook	X			
1-13	Hall	X			
1-14	Hancock	X			
1-15	Hughes	X			
1-16	Miles	X			
1-17	Sparks	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2446 By: Perry

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the composition of the governing bodies of local mental
1-22 health authorities and reports available to the governing body
1-23 members.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-25 SECTION 1. Section 533.035, Health and Safety Code, is
1-26 amended by adding Subsection (f) to read as follows:

1-27 (f) Each local mental health authority shall:
1-28 (1) prepare a monthly expense report detailing each
1-29 expenditure the local mental health authority made in the preceding
1-30 month; and

1-31 (2) make the report available in an electronic format
1-32 to each member of the governing body, including ex officio
1-33 nonvoting members.

1-34 SECTION 2. Section 533.0351, Health and Safety Code, is
1-35 amended by amending Subsections (a), (b), (c), and (c-1) and adding
1-36 Subsections (a-1) and (c-2) to read as follows:

1-37 (a) Each ~~if a~~ local mental health authority must have
1-38 ~~has~~ a governing body. The ~~the~~ governing body must include:

1-39 (1) for a local authority that serves only one county,
1-40 the sheriff of the county ~~as an ex officio nonvoting member~~; and

1-41 (2) for a local authority that serves two or more
1-42 counties, two sheriffs chosen in accordance with Subsection (b),
1-43 one of whom may serve as an ex officio nonvoting member ~~members~~.

1-44 (a-1) At least one voting member of the governing body of a
1-45 local mental health authority must be a member of the public who:

1-46 (1) has experience in business or as an employee in a
1-47 corporate setting;

1-48 (2) has not served in a public elective office; and

1-49 (3) is appointed by the governing bodies of the local
1-50 authority's participating local agencies in accordance with
1-51 Chapter 534 or, if the local authority does not have a participating
1-52 local agency, the local authority's governing body.

1-53 (b) In selecting sheriffs to serve as members of the
1-54 governing body under Subsection (a)(2), a ~~A~~ local mental health
1-55 authority that serves two or more counties shall take the median
1-56 population size of each of those counties and choose:

1-57 (1) one sheriff of a county with a population above the
1-58 median population size to serve as a ~~an ex officio nonvoting~~
1-59 member under Subsection (a); and

1-60 (2) one sheriff of a county with a population below the

median population size to serve as a ~~[an ex officio nonvoting]~~ member under Subsection (a).

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

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

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

SECTION 3. Section 533.0351(e), Health and Safety Code, is repealed.

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

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