

SENATE AMENDMENTS
2nd Printing

By: Anchía, Rose, Phelan, Cook, Buckley, H.B. No. 2854
et al.

A BILL TO BE ENTITLED

AN ACT

relating to the required approval of certain hospital visits as a condition of release on parole or to mandatory supervision for certain releasees and to the hospital's liability for damages resulting from those visits.

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

SECTION 1. This Act may be cited as the Pokuaa-Flowers Act.

SECTION 2. Subchapter F, Chapter 508, Government Code, is amended by adding Section 508.193 to read as follows:

Sec. 508.193. REQUIRED APPROVAL OF CERTAIN HOSPITAL VISITS.

(a) A parole panel that requires a releasee serving a sentence for an offense listed in Article 42A.054(a), Code of Criminal Procedure, or for which the judgment contains an affirmative finding under Article 42A.054(c) or (d), Code of Criminal Procedure, to submit to electronic monitoring as a condition of release on parole or to mandatory supervision shall, as an additional condition of release, prohibit the releasee from visiting a general hospital, as defined by Section 241.003, Health and Safety Code, for a purpose other than to receive medical treatment, as defined by Section 313.002, Health and Safety Code, including emergency medical care, unless the parole officer supervising the releasee approves the releasee's request to visit the hospital prior to the visit.

(b) A releasee's request to visit a general hospital must

1 specify the date and time of the intended visit and the reason for
2 the visit.

3 (c) A parole officer who approves a visit under Subsection
4 (a) shall promptly notify the chief law enforcement officer for the
5 general hospital, or a local law enforcement agency if the general
6 hospital does not employ any peace officers, of the date and time of
7 the releasee's intended visit.

8 (d) Notwithstanding any other law and except in the case of
9 gross negligence, recklessness, or intentional misconduct, a
10 general hospital is not liable to a patient or another person for
11 damages resulting from a visit by a releasee described by
12 Subsection (a). This subsection may not be construed to limit a
13 claim arising under Chapter 74, Civil Practice and Remedies Code.

14 SECTION 3. Section 508.193, Government Code, as added by
15 this Act, applies only to a person who is released on parole or to
16 mandatory supervision on or after the effective date of this Act. A
17 person who is released on parole or to mandatory supervision before
18 the effective date of this Act is governed by the law in effect at
19 the time of release, and the former law is continued in effect for
20 that purpose.

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

ADOPTED

MAY 27 2025

Latey Law
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: *Joan Huffman*

1 Amend H.B. No. 2854 (89R 25072) in SECTION 2 of the bill as
2 follows:

3 (1) In added Section 508.193(c), Government Code (page 2,
4 line 4), between "notify" and "the", insert ", using the
5 information in the database described by Subsection (d),".

6 (2) Immediately after added Section 508.193(c), Government
7 Code (page 2, between lines 7 and 8), insert the following and
8 relettering subsequent subsections accordingly:

9 (d) The Department of State Health Services shall establish
10 and maintain an electronic database for the department that
11 contains the contact information, including phone numbers and
12 email addresses, for:

13 (1) the chief law enforcement officer of each general
14 hospital in this state; or

15 (2) if a general hospital does not employ any peace
16 officers, the local law enforcement agency with jurisdiction over
17 the location of the hospital.

18 (e) The Department of State Health Services shall annually
19 provide an updated database to the department.

20 (f) The department is not liable to a patient or another
21 person for damages resulting from a visit by a releasee described
22 by Subsection (a) if the parole officer approving the visit has
23 attempted to notify the appropriate chief law enforcement officer
24 or law enforcement agency using the contact information included
25 in the database described by Subsection (d).

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 29, 2025

TO: Honorable Dustin Burrows, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2854 by Anchía (Relating to the required approval of certain hospital visits as a condition of release on parole or to mandatory supervision for certain releasees and to the hospital's liability for damages resulting from those visits.), **As Passed 2nd House**

<p>No significant fiscal implication to the State is anticipated.</p>
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It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 537 State Health Services, Department of

LBB Staff: JMc, MGol, ER, APA

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 22, 2025

TO: Honorable Pete Flores, Chair, Senate Committee on Criminal Justice

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2854 by Anchía (Relating to the required approval of certain hospital visits as a condition of release on parole or to mandatory supervision for certain releasees and to the hospital's liability for damages resulting from those visits.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 696 Department of Criminal Justice, 697 Board of Pardons and Paroles

LBB Staff: JMc, MGol, CSh, JLa

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 30, 2025

TO: Honorable Sam Harless, Chair, House Committee on Corrections

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2854 by Anchía (relating to the required approval of certain hospital visits as a condition of release on parole or to mandatory supervision for certain releasees and to the hospital’s liability for damages resulting from those visits.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
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It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 696 Department of Criminal Justice, 697 Board of Pardons and Paroles
LBB Staff: JMc, MGol, CSh, JLa

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 15, 2025

TO: Honorable Sam Harless, Chair, House Committee on Corrections

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB2854 by Anchía (Relating to the required approval of certain hospital visits as a condition of release on parole or to mandatory supervision for certain releasees and to the hospital's liability for damages resulting from those visits.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 696 Department of Criminal Justice, 697 Board of Pardons and Paroles
LBB Staff: JMc, MGol, CSh, JLa