

By: Raymond

H.B. No. 167

A BILL TO BE ENTITLED

AN ACT

relating to the transportation of certain mental health patients.

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

SECTION 1. Section 574.045(a), Health and Safety Code, is amended to read as follows:

(a) The court may authorize, in the following order of priority, the transportation of a committed patient or a patient detained under Section 573.022 or 574.023 to the designated mental health facility by:

(1) a special officer for mental health assignment certified under Section 1701.404, Occupations Code [~~a relative or other responsible person who has a proper interest in the patient's welfare and who receives no remuneration, except for actual and necessary expenses~~];

(2) the facility administrator of the designated mental health facility, unless [~~if~~] the administrator notifies the court that facility personnel are not available to transport the patient;

(3) [~~a special officer for mental health assignment certified under Section 1701.404, Occupations Code,~~

~~(4)]~~ a representative of the local mental health authority, who shall be reimbursed by the county;

(4) a relative or other responsible person who has a proper interest in the patient's welfare and who receives no

1 remuneration, except for actual and necessary expenses; or

2 (5) the sheriff or constable[~~, if no person is~~  
3 ~~available under Subdivision (1), (2), (3), or (4)].~~

4 SECTION 2. This Act takes effect September 1, 2011.