

AN ACT

relating to an application for emergency detention and to the transfer to a mental hospital of a person admitted for emergency detention.

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

SECTION 1. Section 573.012, Health and Safety Code, is amended by amending Subsection (h) and adding Subsection (h-1) to read as follows:

(h) A judge or magistrate may permit an applicant who is a physician to present an application by:

(1) e-mail with the application attached as a secure document in a portable document format (PDF); or

(2) secure electronic means, including:

(A) satellite transmission;

(B) [] closed-circuit television transmission; [] or

(C) any other method of two-way electronic communication that:

(i) [~~1~~] is secure;

(ii) [~~2~~] is available to the judge or magistrate; and

(iii) [~~3~~] provides for a simultaneous, compressed full-motion video and interactive communication of image and sound between the judge or magistrate and the applicant.

1 (h-1) After the presentation of an application under
2 Subsection (h), the judge or magistrate may transmit a warrant to
3 the applicant:

4 (1) electronically, if a digital signature, as defined
5 by Article 2.26, Code of Criminal Procedure, is transmitted with
6 the document; or

7 (2) by e-mail with the warrant attached as a secure
8 document in a portable document format (PDF), if the identifiable
9 legal signature of the judge or magistrate is transmitted with the
10 document.

11 SECTION 2. Section 573.022, Health and Safety Code, is
12 amended by adding Subsection (c) to read as follows:

13 (c) A facility that has admitted a person for emergency
14 detention under Subsection (a) or to which a person has been
15 transported under Subsection (b) may transfer the person to an
16 appropriate mental hospital with the written consent of the
17 hospital administrator.

18 SECTION 3. This Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I certify that H.B. No. 1829 was passed by the House on April 14, 2011, by the following vote: Yeas 142, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1829 on May 16, 2011, by the following vote: Yeas 141, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1829 was passed by the Senate, with amendments, on May 10, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor