

AN ACT

relating to the creation of grant programs to reduce recidivism, arrest, and incarceration of individuals with mental illness.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.0993 to read as follows:

Sec. 531.0993. GRANT PROGRAM TO REDUCE RECIDIVISM, ARREST, AND INCARCERATION AMONG INDIVIDUALS WITH MENTAL ILLNESS AND TO REDUCE WAIT TIME FOR FORENSIC COMMITMENT. (a) The commission shall establish a program to provide grants to county-based community collaboratives for the purposes of reducing:

(1) recidivism by, the frequency of arrests of, and incarceration of persons with mental illness; and

(2) the total waiting time for forensic commitment of persons with mental illness to a state hospital.

(b) A community collaborative may petition the commission for a grant under the program only if the collaborative includes a county, a local mental health authority that operates in the county, and each hospital district, if any, located in the county. A community collaborative may include other local entities designated by the collaborative's members.

(c) The commission shall condition each grant provided to a community collaborative under this section on the collaborative providing funds from non-state sources in a total amount at least

1 equal to:

2 (1) 50 percent of the grant amount if the
3 collaborative includes a county with a population of less than
4 250,000;

5 (2) 100 percent of the grant amount if the
6 collaborative includes a county with a population of 250,000 or
7 more; and

8 (3) the percentage of the grant amount otherwise
9 required by this subsection for the largest county included in the
10 collaborative, if the collaborative includes more than one county.

11 (c-1) To raise the required non-state sourced funds, a
12 collaborative may seek and receive gifts, grants, or donations from
13 any person.

14 (c-2) Beginning on or after September 1, 2018, from money
15 appropriated to the commission for each fiscal year to implement
16 this section, the commission shall reserve at least 20 percent of
17 that total to be awarded only as grants to a community collaborative
18 that includes a county with a population of less than 250,000.

19 (d) For each state fiscal year for which a community
20 collaborative seeks a grant, the collaborative must submit a
21 petition to the commission not later than the 30th day of that
22 fiscal year. The community collaborative must include with a
23 petition:

24 (1) a statement indicating the amount of funds from
25 non-state sources the collaborative is able to provide; and

26 (2) a plan that:

27 (A) is endorsed by each of the collaborative's

1 member entities;

2 (B) identifies a target population;

3 (C) describes how the grant money and funds from
4 non-state sources will be used;

5 (D) includes outcome measures to evaluate the
6 success of the plan; and

7 (E) describes how the success of the plan in
8 accordance with the outcome measures would further the state's
9 interest in the grant program's purposes.

10 (e) The commission must review plans submitted with a
11 petition under Subsection (d) before the commission provides a
12 grant under this section. The commission must fulfill the
13 commission's requirements under this subsection not later than the
14 60th day of each fiscal year.

15 (f) Acceptable uses for the grant money and matching funds
16 include:

17 (1) the continuation of a mental health jail diversion
18 program;

19 (2) the establishment or expansion of a mental health
20 jail diversion program;

21 (3) the establishment of alternatives to competency
22 restoration in a state hospital, including outpatient competency
23 restoration, inpatient competency restoration in a setting other
24 than a state hospital, or jail-based competency restoration;

25 (4) the provision of assertive community treatment or
26 forensic assertive community treatment with an outreach component;

27 (5) the provision of intensive mental health services

1 and substance abuse treatment not readily available in the county;

2 (6) the provision of continuity of care services for
3 an individual being released from a state hospital;

4 (7) the establishment of interdisciplinary rapid
5 response teams to reduce law enforcement's involvement with mental
6 health emergencies; and

7 (8) the provision of local community hospital, crisis,
8 respite, or residential beds.

9 (f-1) Beginning on or after September 1, 2018, to the extent
10 money appropriated to the commission for a fiscal year to implement
11 this section remains available to the commission after the
12 commission selects grant recipients for the fiscal year, the
13 commission shall make grants available using the money remaining
14 for the fiscal year through a competitive request for proposal
15 process, without regard to the limitation provided by Subsection
16 (c-2).

17 (g) Not later than the 90th day after the last day of the
18 state fiscal year for which the commission distributes a grant
19 under this section, each community collaborative that receives a
20 grant shall prepare and submit a report describing the effect of the
21 grant money and matching funds in achieving the standard defined by
22 the outcome measures in the plan submitted under Subsection (d).

23 (h) The commission may make inspections of the operation and
24 provision of mental health services provided by a community
25 collaborative to ensure state money appropriated for the grant
26 program is used effectively.

27 (i) The commission may not award a grant under this section

1 for a fiscal year to a community collaborative that includes a
2 county with a population greater than four million if the
3 legislature appropriates money for a mental health jail diversion
4 program in the county for that fiscal year.

5 (j) Notwithstanding any other provision in this section,
6 the commission may award a grant under this section for the state
7 fiscal year beginning on September 1, 2017, only to a community
8 collaborative that includes a county with a population of 250,000
9 or more. This subsection expires on August 31, 2018.

10 SECTION 2. Subchapter B, Chapter 531, Government Code, is
11 amended by adding Section 531.09935 to read as follows:

12 Sec. 531.09935. GRANT PROGRAM TO REDUCE RECIDIVISM, ARREST,
13 AND INCARCERATION AMONG INDIVIDUALS WITH MENTAL ILLNESS AND TO
14 REDUCE WAIT TIME FOR FORENSIC COMMITMENT IN MOST POPULOUS COUNTY.

15 (a) The commission shall establish a program to provide a grant to
16 a county-based community collaborative in the most populous county
17 in this state for the purposes of reducing:

18 (1) recidivism by, the frequency of arrests of, and
19 incarceration of persons with mental illness; and

20 (2) the total waiting time for forensic commitment of
21 persons with mental illness to a state hospital.

22 (b) The community collaborative may receive a grant under
23 the program only if the collaborative includes the county, a local
24 mental health authority that operates in the county, and each
25 hospital district located in the county. A community collaborative
26 may include other local entities designated by the collaborative's
27 members.

1 (c) Not later than the 30th day of each fiscal year, the
2 commission shall make available to the community collaborative
3 established in the county described by Subsection (a) a grant in an
4 amount equal to the lesser of:

5 (1) the amount appropriated to the commission for that
6 fiscal year for a mental health jail diversion pilot program in that
7 county; or

8 (2) the collaborative's available matching funds.

9 (d) The commission shall condition a grant provided to the
10 community collaborative under this section on the collaborative
11 providing funds from non-state sources in a total amount at least
12 equal to the grant amount.

13 (e) To raise the required non-state sourced funds, the
14 collaborative may seek and receive gifts, grants, or donations from
15 any person.

16 (f) Acceptable uses for the grant money and matching funds
17 include:

18 (1) the continuation of a mental health jail diversion
19 program;

20 (2) the establishment or expansion of a mental health
21 jail diversion program;

22 (3) the establishment of alternatives to competency
23 restoration in a state hospital, including outpatient competency
24 restoration, inpatient competency restoration in a setting other
25 than a state hospital, or jail-based competency restoration;

26 (4) the provision of assertive community treatment or
27 forensic assertive community treatment with an outreach component;

1 (5) the provision of intensive mental health services
2 and substance abuse treatment not readily available in the county;

3 (6) the provision of continuity of care services for
4 an individual being released from a state hospital;

5 (7) the establishment of interdisciplinary rapid
6 response teams to reduce law enforcement's involvement with mental
7 health emergencies; and

8 (8) the provision of local community hospital, crisis,
9 respite, or residential beds.

10 (g) Not later than the 90th day after the last day of the
11 state fiscal year for which the commission distributes a grant
12 under this section, the community collaborative shall prepare and
13 submit a report describing the effect of the grant money and
14 matching funds in fulfilling the purpose described by Subsection
15 (a).

16 (h) The commission may make inspections of the operation and
17 provision of mental health services provided by the community
18 collaborative to ensure state money appropriated for the grant
19 program is used effectively.

20 SECTION 3. This Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 292 passed the Senate on April 20, 2017, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendments on May 25, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 292 passed the House, with amendments, on May 23, 2017, by the following vote: Yeas 138, Nays 5, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor