

## **BILL ANALYSIS**

S.B. 1912  
By: Zaffirini  
Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Stakeholders note a number of improvements necessary to clarify and improve the efficiency of procedures in courts with mental health jurisdiction. S.B. 1912 seeks to implement these improvements.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 1912 amends the Health and Safety Code to specify that the personal delivery of any required notice under the Texas Mental Health Code is made by a constable or sheriff of the applicable county. The bill removes the condition that a person file the original signed copy of a paper in a proceeding under the Texas Mental Health Code within a certain timeframe for the person to be authorized to initially file the paper by the use of reproduced, photocopied, or electronically transmitted paper and instead requires a person who files a reproduced, photocopied, or electronically transmitted paper in such a proceeding to maintain possession of the original signed copies of the paper and to make the original paper available for inspection on request by the parties or the court.

S.B. 1912 authorizes a court, with the permission of the commissioners court of the county in which the court is located, to establish a mental health public defender office to provide proposed patients of court-ordered mental health services with legal representation provided by attorneys associated with that office. The bill requires the court to appoint an attorney associated with such a mental health public defender office, a public defender other than a mental health public defender, or a private attorney to represent a proposed patient in any proceeding relating to court-ordered mental health services.

S.B. 1912 repeals Section 571.014(d), Health and Safety Code.

### **EFFECTIVE DATE**

September 1, 2017.