

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 632
By: Kolkhorst
Health & Human Services
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Local law enforcement increasingly find themselves at the nexus of mental health issues in the state. Individuals with mental health issues often find themselves at the county jailhouse after an episode related to their condition. Law enforcement are required to conduct extensive screenings related to suicide and mental health issues and are often unaware or unable to access mental health services offered by local mental health authorities (LMHAs).

S.B. 632 seeks to promote cooperation with local law enforcement officials in order to facilitate communication between those on the front lines of our mental health issues and those who coordinate the variety of services currently offered by LMHAs. (Original Author's/Sponsor's Statement of Intent)

C.S.S.B. 632 amends current law relating to the composition of the governing bodies and the consultation policies of local mental health authorities with respect to sheriffs, their representatives, and local law enforcement agencies.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 533, Health and Safety Code, by adding Section 533.0351, as follows:

Sec. 533.0351. **REQUIRED COMPOSITION OF LOCAL MENTAL HEALTH AUTHORITY GOVERNING BODY.** (a) Requires the governing body, if a local mental health authority has a governing body, to include as an ex officio nonvoting member a sheriff or a representative of a sheriff of a county in the local authority's service area. Provides that, except as provided by Subsection (b), the sheriff or representative described by this subsection serves as an ex officio member of the governing body for the duration of the sheriff's term in office.

(b) Requires the position of ex officio nonvoting member described by Subsection (a) to rotate among the sheriffs of those counties as determined by the local authority in the local authority's service area every two years if there are two or more counties in a local mental health authority's service area. Requires a local mental health authority to consider the recommendations of the sheriffs in the local authority's service area in making a determination under this subsection.

(c) Requires the local mental health authority, if a local mental health authority does not have a governing body, to consult with a sheriff or a representative of a sheriff of a county in the local authority's service area regarding the use of the funds received under Section 533.035(b) (relating to the allocation of funds provided by the Department of State Health Services to a local mental health authority).

SECTION 2. Amends Section 533.0352(d), Health and Safety Code, to include local law enforcement agencies among other specified entities that the local mental health authority is required to solicit information from and to make nonsubstantive changes.

SECTION 3. Amends Section 534.002, Health and Safety Code, as follows:

Sec. 534.002. BOARD OF TRUSTEES FOR CENTER ESTABLISHED BY ONE LOCAL AGENCY. (a) Creates Subsection (a) from existing text and provides that the board of trustees of a community center established by one local agency is composed of:

(1) creates Subdivision (1) from existing text and makes a nonsubstantive change;

(2) creates Subdivision (2) from existing text and makes a nonsubstantive change; and

(3) a sheriff or a representative of a sheriff of a county in the region served by the community center who is appointed by the local agency's governing body to serve as an ex officio nonvoting member.

(b) Provides that if a qualified voter appointed to a community center under Subsection (a)(2) is the sheriff of the only county in the region served by a community center, Subsection (a)(3) does not apply.

(c) Requires a local agency's governing body, if a qualified voter appointed to a community center under Subsection (a)(2) is a sheriff of a county in the region served by a community center and the region served by the community center consists of more than one county, under Subsection (a)(3) to appoint a sheriff or a representative of a sheriff from a different county in the region served by the community center.

SECTION 4. Amends Section 534.003, Health and Safety Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Provides that, except as provided by Subsection (a-1), the board of trustees of a community center established by an organizational combination of local agencies is composed of not fewer than five or more than 13 members.

(a-1) Requires the board of trustees of a community center, in addition to the members described in Subsection (a), to include:

(1) if the region served by the community center consists of only one county, the sheriff of that county or a representative of the sheriff to serve as an ex officio nonvoting members; or

(2) if the region served by the community center consists of more than one county, sheriffs from at least two of the counties in the region served by the community center or representatives of the sheriffs to serve as ex officio nonvoting members.

SECTION 5. Effective date: September 1, 2019.