

BILL ANALYSIS

S.B. 613
By: Whitmire
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that legislation is needed to provide for inpatient mental health services for certain civilly committed sexually violent predators with special needs to better treat these persons. S.B. 613 seeks to require the Health and Human Services Commission to provide such services.

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. 613 amends the Health and Safety Code to replace the requirement that the Health and Human Services Commission (HHSC) coordinate with the Texas Civil Commitment Office to provide psychiatric services, disability services, and housing for a person who is a civilly committed sexually violent predator with an intellectual or developmental disability, a mental illness, or a physical disability that prevents the person from effectively participating in the sex offender treatment program administered by the office with a requirement that HHSC, after coordination with the office, provide such services and housing for such a person. The bill requires HHSC, for a committed person who the office has determined is unable to effectively participate in the sex offender treatment program because the person's mental illness prevents the person from understanding and internalizing the concepts presented by the program's treatment material, to provide inpatient mental health services until the person is able to participate effectively in the program. The bill establishes that a person who is adjudicated as a sexually violent predator and who has a mental illness that prevents the person from effectively participating in a sex offender treatment program presents a substantial risk of serious harm to the person or others for purposes of statutory provisions relating to court-ordered mental health services.

EFFECTIVE DATE

September 1, 2017.