

BILL ANALYSIS

Senate Research Center
80R6562 UM-D

S.B. 778
By: Harris
Jurisprudence
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law requires significant travel expense and time away from local duties for county personnel needed for re-commitment hearings of Tarrant County residents who have been placed in the state mental health facility in Wichita Falls. A much simpler and more efficient alternative would be to have the hearings via two-way electronic communication means.

As proposed, S.B. 778 allows the use of two-way electronic communication equipment for certain court proceedings to include mental health commitment hearings.

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 the heading to Subchapter I, Chapter 574, Health and Safety Code, to read as follows:

SUBCHAPTER I. USE OF VIDEO TECHNOLOGY AT PROCEEDINGS

SECTION 2. Amends Subchapter I, Chapter 574, Health and Safety Code, by adding Section 574.203, as follows:

Sec. 574.203. USE OF ELECTRONIC BROADCAST SYSTEM IN CERTAIN PROCEEDINGS UNDER THIS CHAPTER. (a) Authorizes a mental health commitment hearing to be conducted in accordance with this chapter but by using an electronic broadcast system (system) if certain conditions are met.

(b) Authorizes, upon a motion made by certain persons, the court to terminate an appearance made through a system at any time during the appearance and require an appearance by the patient or proposed patient in open court.

(c) Requires the court to provide for a recording of the communication to be made and preserved until any appellate proceedings have been concluded. Authorizes the patient or proposed patient to obtain a copy of the recording on payment of a reasonable amount to cover the costs of reproduction or, if the patient or proposed patient is indigent, requires the court to provide a copy to the patient or proposed patient without charging a cost for the copy.

SECTION 3. Effective date: September 1, 2007.