CHAPTER 566

S.B. No. 718

AN ACT relating to voluntary and involuntary mental health services.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. The heading to Chapter 572, Health and Safety Code, is amended to read as follows:

CHAPTER 572. VOLUNTARY [INPATIENT] MENTAL HEALTH SERVICES

SECTION 2. Section 572.001, Health and Safety Code, is amended by amending Subsections (a), (c), and (d) and adding Subsections (a-1) and (c-1) to read as follows:

(a) A person 16 years of age or older [or a person younger than 16 years of age who is or has been married] may request admission to an inpatient mental health facility or for outpatient mental health services by filing a request with the administrator of the facility where [to-which] admission or outpatient treatment is requested. The parent, managing conservator, or guardian of a person younger than 18 years of age [who is not and has not been married] may request the admission of the person to an inpatient mental health facility or for outpatient mental health services by filing a request with the administrator of the facility where [to-which] admission or outpatient treatment is requested.

(a-1) Except as provided by Subsection (c), an inpatient mental health facility may admit or provide services to a person 16 years of age or older and younger than 18 years of age if the person's parent, managing conservator, or guardian consents to the admission or services, even if the person does not consent to the admission or services.
(c) A person or agency appointed as the guardian or a managing conservator of a person younger than 18 years of age and acting as an employee or agent of the state or a political subdivision of the state may request admission of the person younger than 18 years of age only with the person’s consent. If the person does not consent, the person may be admitted for inpatient services only pursuant to an application for court-ordered mental health services or emergency detention or an order for protective custody.

(c-1) A person younger than 18 years of age may not be involuntarily committed unless provided by this chapter, other state law, or department rule.

(d) The administrator of an inpatient or outpatient mental health facility may admit a minor who is 16 years of age or older [or a person younger than 16 years of age who is or has been married] to an inpatient or outpatient mental health facility as a voluntary patient without the consent of the parent, managing conservator, or guardian.

SECTION 3. Section 572.002, Health and Safety Code, is amended to read as follows:

Sec. 572.002. ADMISSION. The facility administrator or the administrator’s authorized, qualified designee may admit a person for whom a proper request for voluntary inpatient or outpatient services is filed if the administrator or the designee determines:

(1) from a preliminary examination that the person has symptoms of mental illness and will benefit from the inpatient or outpatient services;

(2) that the person has been informed of the person’s rights as a voluntary patient; and

(3) that the admission was voluntarily agreed to:

(A) by the person, if the person is:

(i) 16 years of age or older; or

(ii) younger than 16 years of age and is or has been married; or

(B) by the person’s parent, managing conservator, or guardian, if the person is younger than 18 years of age [and is not and has not been married].

SECTION 4. Chapter 572, Health and Safety Code, is amended by adding Section 572.0051 to read as follows:

Sec. 572.0051. TRANSPORTATION OF PATIENT TO ANOTHER STATE. A person may not transport a patient to a mental health facility in another state for inpatient mental health services under this chapter unless transportation to that facility is authorized by a court order.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Passed the Senate on April 11, 2013: Yeas 31, Nays 0; the Senate concurred in House amendment on May 22, 2013: Yeas 31, Nays 0; passed the House, with amendment, on May 17, 2013: Yeas 132, Nays 2, two present not voting.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 567

S.B. No. 724

AN ACT

relating to the creation of the Montgomery County Municipal Utility District No. 133; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8457 to read as follows:

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