

## **BILL ANALYSIS**

Senate Research Center  
79R8882 KEL-D

H.B. 2194  
By: Madden (Whitmire)  
Criminal Justice  
5/16/2005  
Engrossed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

The 78th Legislature, Regular Session, 2003, enacted legislation which made the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) responsible for reviewing competency evaluations performed on offenders for compliance with state requirements.

H.B. 2194 amends state law to clearly specify the content, format, and documentation of evaluations submitted to TCOOMMI to enhance the review process.

### **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 Article 46B.025, Code of Criminal Procedure, by adding Subsection (d) as follows:

(d) Requires the court to direct an expert to provide the expert's report to the court and the appropriate parties in the form approved by the Texas Correctional Office on Offenders with Medical or Mental Impairments under Section 614.0032(b), Health and Safety Code.

SECTION 2. Amends Article 46B.026, Code of Criminal Procedure, by adding Subsection (c) as follows:

(c) Requires the court, as soon as practicable after the court receives a report under this article, to forward the report to the Texas Correctional Office on Offenders with Medical or Mental Impairments to enable that office to discharge its duties under Section 614.0032(b), Health and Safety Code.

SECTION 3. Amends Section 614.0032(b), Health and Safety Code, to require the Texas Correctional Office on Offenders with Medical or Mental Impairments to approve and make generally available in electronic format a standard form for use by experts in reporting competency examination results under Chapter 46B, Code of Criminal Procedure.

SECTION 4. Effective date: upon passage or September 1, 2005.