

2025 Legislative Session Prospective

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TEXAS

Health and Human Services

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JCMH Proposals

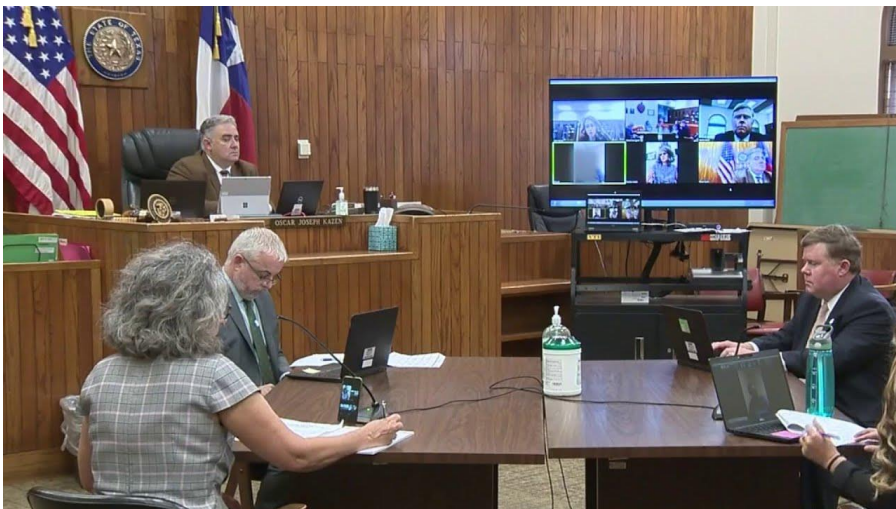
- *Third Session – the JCMH Process*
- *Proposals for 2025:*
 - *Criminal*
 - *Civil*

Note – the full Legislative Report is in your conference Materials



Criminal

- A. Clarify that AOT Courts “count” as specialty courts
- B. Confirm jurisdiction for judges overseeing specialty courts such as mental health courts and AOT courts (among others)
- C. Article 16.23, Code of Crim. Proc. – Law enforcement diversion plans



Criminal

D. JBCR – expand offenses that are eligible;

E. Amendments to Ch. 46B:

1. Limit use of inpatient competency restoration for defendants charged only with certain nonviolent misdemeanor charges;
2. Clarify other provisions; *e.g.*, better defining the concept of “foreseeable future;”
3. Clarify and add procedures to 46B.084 to address situations in which a defendant decompensates after having been restored;
4. Authorize a possible stepdown to outpatient for certain defendants with IDD.



Criminal

- F. Amend Ch. 45A to permit a possible dismissal of a Class C misdemeanor if the defendant appears to lack capacity; mirrors existing law for juveniles who lack capacity under Penal Code 8.08;
- G. Expand who can apply and testify in proceedings for court-ordered medications.



Civil

- A. Modifications to peace officer emergency detention forms to better elicit necessary and helpful information.
- B. Clarification of a peace officer's duties upon presenting a person to a facility for examination for an emergency detention without a warrant.



Civil

- C. Clarifying proper venue for a civil commitment.
- D. Addressing the common symptom of anosognosia (i.e., lack of insight because of untreated mental illness) for E.D.s and inpatient civil commitments.



2025 Legislative Session

- *Questions?*

