

CHAPTER 485

H.B. No. 1503

AN ACT

relating to the lease of part of the Rusk State Hospital facilities to the Texas Department of Corrections for use by certain inmates.

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

SECTION 1. LEASE OF FACILITIES. (a) The Texas Department of Corrections shall lease the Skyview unit of Rusk State Hospital from the Texas Department of Mental Health and Mental Retardation to house and treat inmates who are mentally ill.

(b) The Texas Department of Mental Health and Mental Retardation shall lease the Skyview unit to the Texas Department of Corrections for a renewable 20-year period for a rental of \$1 a year, payable in advance.

(c) The Texas Department of Corrections shall also build new facilities in the Skyview unit so that the unit is capable of serving at least 500 mentally ill inmates.

SECTION 2. MANAGEMENT AND SUPPORT SERVICES. The Texas Department of Mental Health and Mental Retardation shall provide maintenance and support services for the Skyview unit.

SECTION 3. TRANSFER OF MENTAL HEALTH PATIENTS. (a) To accomplish the transfer of inmates to the Skyview unit of the Rusk State Hospital, the Texas Department of Mental Health and Mental Retardation shall perform the duties prescribed by this section.

(b) The Texas Department of Mental Health and Mental Retardation shall transfer the patients in the Skyview unit to a maximum security unit established in Vernon State Hospital. The department shall perform any necessary renovations to Vernon State Hospital before transferring the patients.

(c) The Texas Department of Mental Health and Mental Retardation shall renovate facilities at Wichita Falls State Hospital to house additional patients that result from the relocation of the maximum security unit from Rusk State Hospital to Vernon State Hospital.

SECTION 4. MEMORANDUM OF UNDERSTANDING. (a) The Texas Department of Corrections and Texas Department of Mental Health and Mental Retardation shall adopt a memorandum of understanding that specifies:

- (1) the schedule for renovating affected facilities and building new facilities;
- (2) the schedule for transferring mental health patients to Vernon State Hospital and other appropriate facilities and transferring inmates into the Skyview unit of the Rusk State Hospital; and

(3) the administrative and supervisory roles of each agency.

(b) The Texas Department of Corrections and Texas Department of Mental Health and Mental Retardation shall coordinate the development of the memorandum of understanding and each by rule shall adopt the memorandum.

SECTION 5. DATE OF ADOPTION. The Texas Department of Corrections and Texas Department of Mental Health and Mental Retardation shall adopt the memorandum of understanding as prescribed by Section 4 of this Act not later than October 1, 1987.

SECTION 6. AUTHORIZATION OF EXPENDITURES. (a) Out of the funds appropriated to the Texas Department of Corrections in S.B. 1, 69th Legislature, 3rd Called Session, 1986, the Texas Department of Corrections is authorized, effective immediately, to expend up to \$1 million to begin the renovation of the Skyview unit as authorized in Section 1 of this Act.

(b) Out of the funds appropriated to the Texas Department of Corrections in S.B. 1, 69th Legislature, 3rd Called Session, 1986, the Texas Department of Corrections is authorized, effective immediately, to transfer \$1.5 million to the Texas Department of Mental Health and Mental Retardation to begin the renovation of Vernon State Hospital and Wichita Falls State Hospital as authorized in Sections 3(b) and (c) of this Act.

(c) Out of the funds appropriated to the Texas Department of Corrections and the Texas Department of Mental Health and Mental Retardation for the 1988 and 1989 biennium, the Texas Department of Corrections will be reimbursed for the expenditures and transfers authorized in Subsections (a) and (b) of this section.

SECTION 7. LEGISLATIVE INTENT. It is the intent of the legislature that the Texas Department of Corrections and the Texas Department of Mental Health and Mental Retardation retain as many employees of both departments from facilities affected by this Act as possible.

SECTION 8. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 28, 1987, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 1503 on May 25, 1987, by a non-record vote. Passed by the Senate, with amendments, on May 20, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 17, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.