

BILL SUMMARY

1st Session of the 60th Legislature

Bill No.:	HB1693
Version:	Int
Request Number:	10672
Author:	Worthen
Date:	2/14/2025
Impact:	Please see previous summary of this measure

Research Analysis

HB 1693 relates to death penalty procedures for the mentally incompetent. The measure requires the forensic examiners examining a person to determine competency have 45 days to provide their reports to the attorneys and the court. The court is to conduct a hearing within 30 days after all examinations are complete. If the trial court finds that the person is competent to be executed, the warden shall proceed to execute the judgment as certified in the warrant. If the prior execution date has expired or the Court of Criminal Appeals has issued a stay, a new execution date shall be set. If the court finds the person mentally incompetent, the court is to order competency restoration services to begin within 30 days of the court order. The Department of Mental Health and Substance Abuse Services is to reevaluate the competency of the person no more than 4 months after restoration services have commenced. If the qualified forensic examiner finds the person to be mentally competent to be executed, the trial court shall hold a hearing to determine whether the person is mentally competent to be executed within 45 days after receipt of the report. If the trial court determines that the person remains mentally incompetent to be executed, the trial court shall enter an order directing the Department of Mental Health and Substance Abuse Services to continue to provide treatment, therapy, or training for the person to achieve competency. An entity providing competency restoration services is to monitor the progress of the person and immediately provide written notification if it appears the person facing execution may have regained mental competency to be executed. An entity providing competency restoration services shall prepare periodic reports, every six months, indicating what services are being provided and the response of the person, if any, to treatment.

Prepared By: Brad Wolgamott

Fiscal Analysis

The measure is currently under review and impact information will be completed.

Prepared By: House Fiscal Staff

Other Considerations

None.