

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 2025

By: Thornbrugh

COMMITTEE SUBSTITUTE

An Act relating to mental health; amending 43A O.S. 1991, Section 1-107, which relates to hearings required by Mental Health Law; authorizing video teleconferencing; providing conditions and requirements; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 43A O.S. 1991, Section 1-107, is amended to read as follows:

Section 1-107. A. Hearings required by the Mental Health Law for emergency detention or involuntary commitment of a person may be held within the mental health facility in which the person is being detained or is to be committed whenever the judge deems such venue would be in the best interest of the patient.

Such hearings shall be conducted by any judge designated by the presiding judge of the judicial district in which the mental health facility is located. Hearings may be held in an area of the hospital designated by the Commissioner of Mental Health and Substance Abuse Services and agreed upon by the presiding judge of that judicial district.

B. Any court hearing required or authorized pursuant to the provisions of the Mental Health Law for detained or confined persons may, at the discretion of the judge, be held by video teleconferencing if the person subject to possible detention or commitment or an attorney or guardian for such person agrees to a video teleconferencing hearing. If the video teleconferencing hearing is agreed to, the image of the detainee or person subject to commitment may be broadcast by closed circuit television to the

judge. A closed circuit television system shall provide for two-way communication including image and sound between the detainee or person to be committed and the judge.

C. The provisions for criminal venue as provided otherwise by law shall not be applicable to proceedings encompassed by commitment statutes referred to in the Mental Health Law which are deemed civil in nature.

~~C.~~ D. Unless otherwise provided by law, the rules of civil procedure shall apply to all judicial proceedings provided for in the Mental Health Law, including but not limited to the rules concerning vacation of orders and appellate review.

SECTION 2. This act shall become effective September 1, 1994.

44-2-8939

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