

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 3295

By: Osborn

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5  
6 AS INTRODUCED

7 An Act relating to mental health; amending 43A O.S.  
8 2011, Section 1-110, which relates to the  
9 responsibility of law enforcement to transport  
10 persons for mental health services; making such  
11 transport permissive and not mandatory; and providing  
12 an effective date.

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

14 SECTION 1. AMENDATORY 43A O.S. 2011, Section 1-110, is  
15 amended to read as follows:

16 Section 1-110. A. Sheriffs and peace officers ~~shall~~ may be  
17 responsible for transporting individuals to and from designated  
18 sites or facilities for the purpose of examination, emergency  
19 detention, protective custody and inpatient services.

20 B. A municipal law enforcement agency ~~shall~~ may be responsible  
21 for any individual found within such municipality's jurisdiction.  
22 The county sheriff ~~shall~~ may be responsible for any individual found  
23 outside of a municipality's jurisdiction, but within the county.

24 C. The law enforcement agency transporting an individual to and  
from designated sites or facilities pursuant to the provisions of

1 this section shall maintain responsibility for the transportation of  
2 such individual pending completion of the examination, emergency  
3 detention, protective custody and inpatient services.

4 D. Sheriffs and peace officers shall be entitled to  
5 reimbursement from the Department of Mental Health and Substance  
6 Abuse Services for transportation services associated with minors or  
7 adults requiring examination, emergency detention, protective  
8 custody and inpatient services.

9 E. Any transportation provided by a sheriff or deputy sheriff  
10 or a peace officer on behalf of any county, city, town or  
11 municipality of this state, to or from any facility for the purpose  
12 of examination, admission, interfacility transfer, medical treatment  
13 or court appearance shall be reimbursed in accordance with the  
14 provisions of the State Travel Reimbursement Act.

15 F. Nothing in this section shall prohibit a law enforcement  
16 agency from entering into a lawful agreement with any other law  
17 enforcement agency to fulfill the requirements established by this  
18 section.

19 SECTION 2. This act shall become effective November 1, 2014.

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21 54-2-9166 AM 01/10/14

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