

1 ENGROSSED SENATE  
2 BILL NO. 1070

By: Sharp of the Senate

3 and

4 Cockroft of the House

5  
6 [ mental health - transportation of certain persons -  
7 effective date ]  
8

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

10 SECTION 1. AMENDATORY 43A O.S. 2011, Section 1-110, as  
11 amended by Section 1, Chapter 326, O.S.L. 2015 (43A O.S. Supp. 2015,  
12 Section 1-110), is amended to read as follows:

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

17 B. A municipal law enforcement agency shall be responsible for  
18 any individual found within such municipality's jurisdiction. The  
19 county sheriff shall be responsible for any individual found outside  
20 of a municipality's jurisdiction, but within the county.

21 C. The law enforcement agency transporting an individual to and  
22 from designated sites or facilities pursuant to the provisions of  
23 this section shall maintain responsibility for the transportation of  
24

1 such individual pending completion of the examination, emergency  
2 detention, protective custody and inpatient services.

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

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

14 F. Nothing in this section shall prohibit a law enforcement  
15 agency from entering into a lawful agreement with any other law  
16 enforcement agency to fulfill the requirements established by this  
17 section or from contracting with a third party to provide the  
18 services established by this section; provided, the third party  
19 meets minimum standards as determined by the Department. Standards  
20 determined by the Department shall not exceed the standards required  
21 by law enforcement. Nothing in this section shall be construed as  
22 to require higher standards for reserve deputies or off-duty law  
23 enforcement officials performing the services authorized by this  
24 section in a capacity as an employee, contractor, or owner of a

