

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1776

By: McCall

COMMITTEE SUBSTITUTE

An Act relating to mental health; amending 43A O.S. 2011, Section 1-110, which relates to the responsibility of law enforcement to transport persons for mental health services; permitting Department of Mental Health and Substance Abuse Services to contract with third party to provide transportation services; and providing an effective date.

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

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

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

B. A municipal law enforcement agency shall be responsible for any individual found within such municipality's jurisdiction. The

1 county sheriff shall be responsible for any individual found outside
2 of a municipality's jurisdiction, but within the county.

3 C. The law enforcement agency transporting an individual to and
4 from designated sites or facilities pursuant to the provisions of
5 this section shall maintain responsibility for the transportation of
6 such individual pending completion of the examination, emergency
7 detention, protective custody and inpatient services.

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

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

19 F. Nothing in this section shall prohibit a law enforcement
20 agency from entering into a lawful agreement with any other law
21 enforcement agency to ~~fulfill~~ provide the ~~requirements~~ services
22 established by this section. Nothing in this section shall prohibit
23 the Department, county or municipality from contracting with a third
24 party to provide the services established by this section.

SECTION 2. This act shall become effective November 1, 2015.

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