

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 55th Legislature (2015)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1776

By: McCall

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to mental health; amending 43A O.S.
10 2011, Section 1-110, which relates to the
11 responsibility of law enforcement to transport
12 persons for mental health services; permitting
13 Department of Mental Health and Substance Abuse
14 Services to contract with third party to provide
15 transportation services; and providing an effective
16 date.

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

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

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

24 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.

COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/16/2015 -
DO PASS, As Amended.