

BILL SUMMARY
2nd Session of the 57th Legislature

Bill No.:	HB 2934
Version:	INT
Request Number:	9029
Author:	Rep. Walke
Date:	2/4/2020
Impact:	Subject to availability of funds

Research Analysis

HB 2934 creates the Oklahoma Mental Health Court Act. The bill authorizes each district court in the state to establish a mental health court, subject to the availability of funds. To be eligible for consideration, the offender must be charged with a felony, but cannot have committed a violent crime, excluding domestic violence if there is a specific treatment program related to domestic violence; cannot have a prior felony conviction for a violent crime within the last 10 years; and either admits to having, appears to have, or has been diagnosed as having a mental health disorder.

Offenders must request consideration and be approved by the district attorney. Program staff will determine whether or not the offender would benefit from and is appropriate for a mental health court program.

Before admittance to the program, the judge will consider whether or not the offender voluntarily consents to the program requirements, the findings and recommendations of the program staff, the written plea agreement, and the existence of appropriate treatment programs. Offenders cannot be denied admittance if they are unable pay court costs or other fees.

The Department of Mental Health and Substance Abuse Services will be the primary agency to assist in developing and implementing the program, and the court may also request assistance from any other state or local agency as necessary.

Any records pertaining to an offender's successful completion of treatment may not be used in any way that would result in the denial of any employee benefits for the offender.

Finally, the bill also allows district courts to establish a mental health court for misdemeanor offenses and repeals the Anna McBride Act.

Prepared By: Emily McPherson

Fiscal Analysis

HB 2934, as introduced, is subject to the availability of funds. There is no instant or direct impact on the Department of Mental Health or the district courts.

Prepared By: Kristina King

Other Considerations

None.

