

HOUSE AMENDMENT NO. _____
TO
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Offered By

1 AMEND House Amendment No. _____ to House Committee Substitute for Senate Substitute for
2 Senate Bill No. 690, Page 3, Line 8, by inserting after all of said page and line the following:

3
4 "Further amend said bill, Page 97, Section 630.980, Line 47, by inserting after all of said section and
5 line the following:

6
7 "632.305. 1. An application for detention for evaluation and treatment may be executed by
8 any adult person, who need not be an attorney or represented by an attorney, including the mental
9 health coordinator, on a form provided by the court for such purpose, and [~~must~~] shall allege under
10 oath, without a notarization requirement, that the applicant has reason to believe that the respondent
11 is suffering from a mental disorder and presents a likelihood of serious harm to himself or herself or
12 to others. The application [~~must~~] shall specify the factual information on which such belief is based
13 and should contain the names and addresses of all persons known to the applicant who have
14 knowledge of such facts through personal observation.

15 2. The filing of a written application in court by any adult person, who need not be an
16 attorney or represented by an attorney, including the mental health coordinator, shall authorize the
17 applicant to bring the matter before the court on an ex parte basis to determine whether the
18 respondent should be taken into custody and transported to a mental health facility. The application
19 may be filed in the court having probate jurisdiction in any county where the respondent may be
20 found. If the court finds that there is probable cause, either upon testimony under oath or upon a
21 review of affidavits, to believe that the respondent may be suffering from a mental disorder and
22 presents a likelihood of serious harm to himself or herself or others, it shall direct a peace officer to
23 take the respondent into custody and transport him or her to a mental health facility for detention for
24 evaluation and treatment for a period not to exceed ninety-six hours unless further detention and
25 treatment is authorized pursuant to this chapter. Nothing herein shall be construed to prohibit the
26 court, in the exercise of its discretion, from giving the respondent an opportunity to be heard.

27 3. A mental health coordinator may request a peace officer to take or a peace officer may
28 take a person into custody for detention for evaluation and treatment for a period not to exceed
29 ninety-six hours only when such mental health coordinator or peace officer has reasonable cause to

Action Taken _____ Date _____

1 believe that such person is suffering from a mental disorder and that the likelihood of serious harm
2 by such person to himself or herself or others is imminent unless such person is immediately taken
3 into custody. Upon arrival at the mental health facility, the peace officer or mental health
4 coordinator who conveyed such person or caused him or her to be conveyed shall either present the
5 application for detention for evaluation and treatment upon which the court has issued a finding of
6 probable cause and the respondent was taken into custody or complete an application for initial
7 detention for evaluation and treatment for a period not to exceed ninety-six hours which shall be
8 based upon his or her own personal observations or investigations and shall contain the information
9 required in subsection 1 of this section.

10 4. If a person presents himself or herself or is presented by others to a mental health facility
11 and a licensed physician, a registered professional nurse or a mental health professional designated
12 by the head of the facility and approved by the department for such purpose has reasonable cause to
13 believe that the person is mentally disordered and presents an imminent likelihood of serious harm
14 to himself or herself or others unless he or she is accepted for detention, the licensed physician, the
15 mental health professional or the registered professional nurse designated by the facility and
16 approved by the department may complete an application for detention for evaluation and treatment
17 for a period not to exceed ninety-six hours. The application shall be based on his or her own
18 personal observations or investigation and shall contain the information required in subsection 1 of
19 this section.

20 5. Any oath required by the provisions of this section shall be subject to the provisions of
21 section 492.060."; and"; and

22
23 Further amend said bill by amending the title, enacting clause, and intersectional references
24 accordingly.

25
26 THIS AMENDMENT AMENDS 3344H09.13H.