

FIRST REGULAR SESSION

# HOUSE BILL NO. 307

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE RIGGS.

0135H.011

DANA RADEMAN MILLER, Chief Clerk

## AN ACT

To repeal section 632.310, RSMo, and to enact in lieu thereof one new section relating to civil detentions.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 632.310, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 632.310, to read as follows:

632.310. 1. Whenever a court has authorized the initial detention and evaluation of a respondent pursuant to subsection 2 of section 632.305, or whenever a mental health coordinator submits an application for initial detention and evaluation pursuant to subsection 3 of section 632.305, or whenever a licensed physician, a registered professional nurse designated by the facility and approved by the department, or a mental health professional submits an application for initial detention and evaluation pursuant to subsection 4 of section 632.305, a public mental health facility shall, and a private mental health facility may immediately accept such application and the respondent on a provisional basis, and the facility shall then evaluate the respondent's condition and admit him for treatment or release him in accordance with the provisions of this chapter.

2. Whenever a peace officer applies for initial detention and evaluation pursuant to subsection 3 of section 632.305, the mental health facility may, but is not required to, accept the application and the respondent. If the facility accepts the application and the respondent, the facility shall evaluate the respondent's condition and admit him for treatment or release him in accordance with the provisions of this chapter.

3. **(1)** If the respondent is not accepted for admission by a facility providing ninety-six-hour evaluation and treatment, the facility shall immediately furnish transportation, if not

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 otherwise available, to return the respondent to his place of residence or other appropriate  
19 place; provided, that in the case of a person transported to the facility by a peace officer or  
20 other governmental agency, such peace officer or agency shall furnish or arrange for such  
21 transportation.

22 **(2) If a court has authorized the initial detention and evaluation of a respondent**  
23 **under subsection 2 of section 632.305, the mental health facility shall notify the**  
24 **authorizing court within twenty-four hours by electronic means that the respondent has**  
25 **not been accepted for admission by the facility or has been released or discharged from**  
26 **the facility.**

27 4. The department may require, pursuant to an affiliation agreement and contract with  
28 a community-based service certified by the department to serve the catchment area where a  
29 respondent whose mental disorder consists of alcohol or drug abuse resides, that the service  
30 immediately accept the application and respondent engaging in alcohol or drug abuse on a  
31 provisional basis and that the service then evaluate such respondent's condition and admit him  
32 for treatment for up to ninety-six hours, petition for further detention and treatment, or release  
33 him in accordance with the provisions of chapter 631.