

SECOND REGULAR SESSION

# HOUSE BILL NO. 2952

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SMITH (46).

6600H.011

JOSEPH ENGLER, Chief Clerk

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## AN ACT

To amend chapter 552, RSMo, by adding thereto one new section relating to mental health evaluations.

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

Section A. Chapter 552, RSMo, is amended by adding thereto one new section, to be  
2 known as section 552.025, to read as follows:

**552.025. 1. (1) Notwithstanding any provision of law, any person arrested and  
2 subject to a mental health evaluation to determine whether the person is competent to  
3 be tried, convicted, or sentenced in a criminal proceeding shall obtain such evaluation  
4 within forty-five days from the date the person was arrested.**

**5 (2) If, based on the results of the mental health evaluation required under  
6 subdivision (1) of this subsection, the person is to be transferred to a mental health  
7 facility to receive treatment, such transfer shall occur within forty-five days after the  
8 mental health evaluation.**

**9 2. If the evaluation or transfer required under subsection 1 of this section is not  
10 completed within the forty-five-day time frame, the department of mental health or  
11 other entity responsible for conducting the evaluation or transfer shall provide good  
12 cause to the arresting authority or prosecuting attorney as to why the evaluation or  
13 transfer was not completed within the time frame provided in subsection 1 of this  
14 section.**

**15 3. On or before January 1, 2027, and every January first thereafter, the  
16 department of mental health shall submit an annual report to the general assembly**

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.

17 **summarizing the department's compliance with the provisions of subsection 1 of this**  
18 **section for the previous year.**

19 **4. The provisions of this section shall not apply if there:**

20 **(1) Are any medical emergencies preventing an evaluation under subdivision (1)**  
21 **of subsection 1 of this section;**

22 **(2) Is no person able to conduct the evaluation required under subdivision (1) of**  
23 **subsection 1 of this section; however, it shall be documented that efforts were made to**  
24 **comply with the provisions of subdivision (1) of subsection 1 of this section; or**

25 **(3) Are other justifiable delays that have been approved by the court, except that**  
26 **no such delay shall exceed fifteen days.**

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