

HB 2952 -- MENTAL HEALTH EVALUATIONS UPON ARREST

SPONSOR: Smith (46)

This bill requires a person who is arrested and subject to a mental health evaluation to determine whether the person is competent to stand trial to obtain the evaluation within 45 days of the person's arrest. If the evaluation results determine that the person should be transferred to a mental health facility for treatment, the person must be transferred within 45 days of the evaluation. If the evaluation or transfer is not completed within the required 45 days, the Department of Mental Health or other entity responsible for conducting the evaluation or transfer must provide good cause to the arresting authority or prosecuting attorney for why the evaluation or transfer was not completed on time.

By January 1, 2027, and every January 1 thereafter, the Department of Mental Health must submit a report to the General Assembly summarizing compliance with the provisions of the bill.

The bill provides exceptions in cases of medical emergencies, a lack of available personnel to perform evaluations, or other justifiable delays approved by the court. Delays approved by the court must not exceed 15 days.

This bill is similar to HB 1677 (2026).