

HOUSE BILL REPORT

HB 1003

As Reported By House Committee On:
Local Government

Title: An act relating to involuntary commitment or detention.

Brief Description: Concerning judicial proceedings for involuntary commitment or detention.

Sponsors: Representatives Riley and Wineberry.

Brief History:

Reported by House Committee on:
Local Government, January 26, 1993, DPS.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives H. Myers, Chair; Bray, Vice Chair; Edmondson, Ranking Minority Member; Reams, Assistant Ranking Minority Member; Dunshee; R. Fisher; Horn; Rayburn; Romero; Springer; Van Luven; and Zellinsky.

Staff: Steve Lundin (786-7127).

Background: Any county may establish a county alcoholism and other drug addiction program.

The coordinator of such a program, who is also referred to as the designated chemical dependency specialist, may petition the superior court to order the involuntary commitment of any adult who appears to be incapacitated by alcohol or any juvenile who appears to be incapacitated by alcohol or other drug addiction. The superior court holds a hearing on the matter and may order the involuntary commitment of such a person, if the requisite grounds for involuntary commitment have been met by clear, cogent, and convincing proof.

A person who is involuntarily committed to an approved treatment program for treatment is committed for a period of 60 days unless he or she is released sooner. The person who is involuntarily committed must be released from the treatment program at the end of this 60-day period, unless prior to the end of this 60-day period the "program" files a

petition with the superior court for the recommitment of the individual and the court orders the recommitment of the individual. Presumably the recommitment would be for up to another 60-day period.

Summary of Substitute Bill: The prosecuting attorney may, at the prosecutor's discretion, represent the designated chemical dependency specialist or treatment program in judicial proceedings for the involuntary commitment or recommitment of an individual.

Substitute Bill Compared to Original Bill: The new language more clearly authorizes the prosecutor to represent the designated chemical dependency specialist and the program.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: This clarifies what probably already is the law and is permissive. Some prosecutors already represent such persons, while other prosecutors are not sure if they can.

Testimony Against: None.

Witnesses: Representative Riley, prime sponsor (pro).