

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL NO. 713

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Mental” insert “Public Safety and Health -”; strike beginning with “Emergency” in line 2 down through “Content” in line 3 and substitute “Release of Inmates”; strike beginning with “modifying” in line 4 down through “disorders” in line 11 and substitute “requiring certain managing officials of certain correctional facilities or their designees to direct that an application be submitted for an involuntary admission of certain inmates upon release from confinement under certain circumstances; requiring that certain managing officials make certain referrals and give certain notice if certain conditions are established; and generally relating to actions to be taken by correctional facilities on releasing inmates with mental disorders or other conditions”; and in line 19, strike “10-622, 10-623, and 10-626” and substitute “10-614”.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 2 on page 2 through line 29 on page 4, inclusive, and substitute:

“10-614.

(a) Except as provided in subsection (b) of this section, application for involuntary admission of an individual to a facility or Veterans’ Administration hospital may be made under Part III of this subtitle by any person who has a legitimate interest in the welfare of the individual.

(b) If the Administration agrees to pay the appropriate expenses, application for involuntary admission to a facility of an inmate in an institution under the Division of Correction or the Patuxent Institution may be made under Part III of this subtitle by the Division or the Patuxent Institution.

(C) FOR AN INMATE WHO HAS HAD A HISTORY OF MENTAL DISORDER OR

(Over)

TREATMENT, THE MANAGING OFFICIAL OF A CORRECTIONAL FACILITY, AS DEFINED IN § 1-101 OF THE CORRECTIONAL SERVICES ARTICLE, OR THE MANAGING OFFICIAL'S DESIGNEE SHALL DIRECT THAT AN APPLICATION FOR THE INMATE'S INVOLUNTARY ADMISSION BE SUBMITTED UNDER THIS SUBTITLE IF:

(1) THERE IS PROBABLE CAUSE AT THE TIME OF RELEASE TO BELIEVE THAT:

(I) THE INMATE HAS SHOWN THE SYMPTOMS OF A MENTAL DISORDER; AND

(II) THE INMATE PRESENTS A DANGER TO THE LIFE OR SAFETY OF THE INMATE OR OF OTHERS; AND

(2) THE INMATE'S RELEASE IS NOT TO ANOTHER TERM OF CONFINEMENT.

(D) IF AN INMATE'S CONDITION AT THE TIME OF RELEASE UNDER SUBSECTION (C) OF THIS SECTION DOES NOT MEET THE STANDARD FOR INVOLUNTARY ADMISSION, BUT THE INMATE NEEDS TREATMENT FOR A MENTAL DISORDER OR SERVICES REGARDING MENTAL RETARDATION FOR THE PROTECTION OF SOCIETY OR THE TREATMENT OF THE INMATE, THE MANAGING OFFICIAL SHALL REFER TO AND NOTIFY, AS SOON AS PRACTICABLE BEFORE THE RELEASE, THE CORE SERVICES AGENCY FOR THE JURISDICTION IN WHICH THE INMATE WILL RESIDE OR THE DEVELOPMENTAL DISABILITIES ADMINISTRATION, AS APPROPRIATE."