

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Joseph M. Getty
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: House Health and Government Operations Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 32
Mental Health Law – Petitions for Emergency Evaluation –
Electronic Record
DATE: January 12, 2022
(1/26)
POSITION: Support as amended

The Maryland Judiciary supports House Bill 32 as amended. House Bill 32 authorizes a peace officer to provide a record of a petition for emergency evaluation *in electronic form* to an emergency facility; and authorizes an emergency facility to accept an emergency evaluatee in their facility provided the electronic record of the petition for emergency evaluation is made available, and as long as it is otherwise executed properly.

If the intent of this statutory change is solely to allow electronic transmission of the endorsed order rather than requiring the peace officer to have a paper copy or original, then the Judiciary supports additional language added to § 10- 624 to read as follows: **THE PETITION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY BE IN THE FORM OF AN ELECTRONIC RECORD, AND MAY BE TRANSMITTED AND RECEIVED ELECTRONICALLY** as well as remove the words “created,” “generated,” and “sent” from the definition of electronic record, This makes it clear that the bill provides for electronic transmittal of a petition for emergency evaluation and not the electronic filing of the petition itself. This bill as amended will provide a more efficient and quicker process for an individual to get an evaluation leading to increased public safety and treatment for the individual.

cc. Hon. Heather Bagnall
Judicial Council
Legislative Committee
Kelley O’Connor