

1 HB367
2 203751-4
3 By Representative Hill (N & P)
4 RFD: Local Legislation
5 First Read: 03-MAR-20

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2 ENROLLED, An Act,

3 Relating to St. Clair County; to provide for an
4 additional fee on matters filed or recorded in the probate
5 office; to provide for the distribution of the fee; and to
6 provide for the creation of the St. Clair County Mental Health
7 Advisory Board and provide for its duties and authority.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. (a) In addition to any filing or
10 recording fee currently assessed, the Probate Office of St.
11 Clair County shall charge an additional fee of six dollars and
12 fifty cents (\$6.50) for each matter filed or recorded in the
13 Probate Office of St. Clair County. After the first year of
14 the operation of this act, the St. Clair County Mental Health
15 Advisory Board may increase or lower the fee; provided, the
16 fee may not exceed eight dollars and fifty cents (\$8.50).

17 (b) There is established the St. Clair County Mental
18 Health Advisory Board, which shall have three members as
19 follows:

20 (1) The Chair of the St. Clair County Commission, or
21 his or her designee.

22 (2) The Sheriff of St. Clair County.

23 (3) The St. Clair County Judge of Probate.

24 (c) By the twentieth of each month following the
25 collection of the fee, the proceeds of the fee shall be

1 disbursed by the judge of probate to the St. Clair County
2 Commission. The fees collected under this section shall be
3 expensed as the St. Clair County Mental Health Advisory Board
4 directs and shall be expended for crisis intervention
5 services, which may include, but are expressly not limited to,
6 any of the following:

7 (1) A mental health officer, who shall be an
8 employee of the Sheriff of St. Clair County and appointed by
9 the St. Clair County Mental Health Advisory Board to serve at
10 the board's pleasure and under the day to day direction of the
11 judge of probate of St. Clair County. The duties, education,
12 qualifications, training, and experience requirements of the
13 position shall be set by the advisory board. All necessary
14 equipment, supplies, and training, including an appropriately
15 equipped vehicle, shall also be provided as determined by the
16 advisory board. The advisory board may appoint assistant
17 mental health officers and support staff as the advisory board
18 may deem necessary. The assistant mental health officers and
19 support staff shall be employees of St. Clair County. The
20 advisory board shall set the salary or compensation for the
21 mental health officer and assistant mental health officers, if
22 any. The advisory board may also set performance standards and
23 take personnel actions as may be necessary, up to and
24 including termination of the mental health officer duties and
25 responsibilities associated therewith.

1 (2) Admissions at a certified psychiatric inpatient
2 unit, which shall be directed or approved by the judge of
3 probate, the mental health officer, or an assistant mental
4 health officer and shall be based upon available funds as
5 determined by the St. Clair County Mental Health Advisory
6 Board.

7 (3) Crisis intervention, which shall be provided
8 through programs of the advisory board or otherwise shall
9 include, but not be limited to, salaries, equipment, and other
10 expenses related to mental health related services and
11 treatment.

12 (4) Contracting with other entities for services
13 that would otherwise be provided by the mental health officer
14 or assistant mental health officers. The St. Clair County
15 Mental Health Advisory Board may purchase other necessary
16 services or pay necessary expenses, including, but not limited
17 to, the obtaining of liability insurance for the advisory
18 board, its members, and its employees, if any.

19 Section 2. No later than November 1 of each calendar
20 year, the advisory board shall submit to the St. Clair County
21 Commission a written report of all income received under this
22 act and the itemized expenditures of the income so received
23 for the preceding fiscal year.

24 Section 3. The St. Clair County Mental Health
25 Advisory Board, board members, Mental Health Officer, and

1 ~~assistant mental health officers shall be granted immunity~~
2 ~~from liability, except for intentional wrongful and wanton~~
3 ~~acts.~~ assistant mental health officers shall enjoy the same
4 immunity afforded to them pursuant to the Constitution of
5 Alabama of 1901, or those immunities provided under Section
6 36-1-12, Code of Alabama 1975.

7 Section 4. The St. Clair County Mental Health
8 Advisory Board shall oversee the implementation of the mental
9 health officer crisis intervention procedures.

10 Section 5. The St. Clair County Mental Health
11 Advisory Board shall give notice of employment positions and
12 hire any employment positions the board deems necessary to
13 effectuate the intent of this act, including mental health
14 officers, assistant mental health officers, and support staff
15 in accordance with the posting and hiring policies utilized by
16 the St. Clair County Sheriff's Office.

17 Section 6. The St. Clair County Mental Health
18 Advisory Board shall provide additional specialized training
19 related to crisis intervention, mental health center
20 operations, and the evaluation of persons suspected to be
21 mentally ill to the mental health officer, and assistant
22 mental health officers, if any.

23 Section 7. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 06-MAY-20, as amended.

Jeff Woodard
Clerk

Senate 09-MAY-20 Passed