

HB254 ENROLLED



1 HB254
2 3CG6VVE-2
3 By Representative Hill (N & P)
4 RFD: Local Legislation
5 First Read: 11-Feb-25



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Enrolled, An Act,

Relating to St. Clair County; to amend Section 1 of Act 2020-190, 2020 Regular Session, as amended by Act 2023-280, 2023 Regular Session, to further provide for the authority of the St. Clair County Mental Health Advisory Board; to further provide for the duties of the St. Clair County Mental Health Officer; and to authorize the mental health officer to provide for the commitment of certain individuals under certain conditions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act 2020-190, 2020 Regular Session, as amended by Act 2023-280, 2023 Regular Session, is amended to read as follows:

"Section 1. (a) In addition to any filing or recording fee currently assessed, the Probate Office of St. Clair County shall charge an additional fee of six dollars fifty cents (\$6.50) for each matter filed or recorded in the probate office. After August 1, 2021, the St. Clair County Mental Health Advisory Board may increase or lower the fee; provided, the fee may not exceed eight dollars fifty cents (\$8.50).

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

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

(2) The Sheriff of St. Clair County.

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



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(4) Two at-large members, who shall reside in St. Clair County and shall be nominated by the sitting members of the advisory board and appointed by the St. Clair County Commission.

(c) By the twentieth of each month following the collection of the fee, the proceeds of the fee shall be disbursed by the judge of probate to the county commission. The fees collected under this section shall be expensed as the advisory board directs and shall be expended for crisis intervention services, which may include, but are expressly not limited to, any of the following:

(1) ~~A mental health officer, who shall be an employee of the sheriff and appointed by the advisory board to serve at the advisory board's pleasure and under the day to day direction of the judge of probate. The duties, education, qualifications, training, and experience requirements of the position shall be set by the advisory board. All; necessary equipment, supplies, and training, including an appropriately equipped vehicle, shall also be provided as determined by the advisory board. The advisory board may appoint; assistant mental health officers; and support staff as the advisory board may deem necessary. The assistant mental health officers and support staff shall be employees of St. Clair County. The advisory board shall set the salary or compensation for the mental health officer and assistant mental health officers, if any. The advisory board may also set performance standards and take personnel actions as may be necessary, up to and including termination of the mental health officer duties and~~



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responsibilities associated therewith.

(2) Admissions at a certified psychiatric inpatient unit, which shall be directed or approved by the judge of probate, the mental health officer, or an assistant mental health officer ~~and shall be based upon available funds as determined by the advisory board.~~

(3) Crisis intervention, ~~which shall be provided through programs~~ provided through the advisory board ~~or otherwise shall include, but not be limited to, salaries,~~

(4) Salaries of the mental health officer, assistant mental health officers, and support staff; purchases of equipment; and payment of other expenses related to mental health related services and treatment.

~~(4)~~ (5) Contracting with other entities for services that would otherwise be provided by the mental health officer or assistant mental health officers. ~~The advisory board may~~

(6) The purchase of other necessary services or pay ~~necessary expenses, including, but not limited to, the obtaining of liability insurance for the advisory board, its members, and its employees, if any."~~

Section 2. (a) The St. Clair County Mental Health Advisory Board shall establish the duties, education, qualifications, training, and experience requirements of the St. Clair County Mental Health Officer, assistant mental health officers, and support staff.

(b) The board may appoint an individual to serve as mental health officer and one or more individuals to serve as an assistant mental health officer or support staff. The



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85 mental health officer, assistant mental health officers, and
86 support staff shall serve at the pleasure of the board.

87 (c) Upon appointment by the board, the mental health
88 officer, assistant mental health officers, and support staff
89 shall be employees of the Sheriff of St. Clair County.

90 (d) The mental health officer, assistant mental health
91 officers, and support staff shall serve under the day-to-day
92 supervision of the Judge of Probate of St. Clair County.

93 Section 3. (a) For purposes of this section, "mental
94 health officer" includes the St. Clair County Mental Health
95 Officer and any assistant mental health officer.

96 (b) In St. Clair County, when a law enforcement officer
97 is confronted with circumstances that give the law enforcement
98 officer reasonable cause for believing that an individual
99 within the county has a mental illness and that the individual
100 is likely to pose a real and present threat of substantial
101 harm to self or others, the law enforcement officer shall
102 contact the Office of the St. Clair County Mental Health
103 Officer, and a mental health officer shall be dispatched to
104 assess the condition of the individual and determine whether
105 the individual needs the attention, specialized care, and
106 services of a designated mental health facility.

107 (c) If the mental health officer determines from the
108 conditions, symptoms, and behavior that the individual appears
109 to have a mental illness and poses a real and present threat
110 of substantial harm to self or others, a law enforcement
111 officer shall take the individual into custody and deliver the
112 individual directly to a mental health facility. If the



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113 responding mental health officer is a law enforcement officer
114 certified by the Alabama Peace Officers Standards and Training
115 Commission, the mental health officer may take the individual
116 into custody and deliver the individual to the mental health
117 facility. The responding mental health officer shall provide
118 notice to the mental health facility that the individual in
119 custody appears to have a mental illness and is in need of
120 examination and observation.

121 (d) Within 24 hours of the notice, a psychiatrist or
122 other physician licensed to practice medicine and authorized
123 by the facility's medical staff bylaws to admit patients for
124 the treatment of mental or emotional illnesses shall make a
125 determination as to whether to admit the individual to the
126 designated mental health facility as a patient tentatively
127 diagnosed with a mental illness for further observation and
128 attention.

129 (e) (1) If the mental health facility determines the
130 individual's status requires commitment pursuant to Article 1
131 of Chapter 52 of Subtitle 2, Title 22, Code of Alabama 1975,
132 the mental health facility shall notify the Office of the St.
133 Clair County Mental Health Officer, which shall file a
134 petition for commitment with the probate court. The petition
135 shall be signed not later than the second business day
136 following receipt of notice from the facility.

137 (2) If the mental health facility determines the
138 individual's status does not require commitment, the mental
139 health facility shall notify the Office of the St. Clair
140 County Mental Health Officer, which shall arrange for the



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141 release of the individual from custody unless the individual
142 is otherwise subject to arrest pursuant to law. After the
143 individual is released and if so requested by the individual,
144 a mental health officer or a law enforcement officer shall
145 deliver the individual to the individual's residence or other
146 place of abode if it is within the county.

147 (f) Nothing in this section shall be construed to
148 authorize or permit any individual not licensed to practice
149 medicine to perform any act or render any service that
150 constitutes the practice of medicine.

151 Section 4. This act shall become effective on October
152 1, 2025.



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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 27-Feb-25.

John Treadwell
Clerk

Senate

01-Apr-25

Passed