

**HB254 ENROLLED**



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



1      Enrolled, An Act,

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3 Relating to St. Clair County; to amend Section 1 of Act  
4 2020-190, 2020 Regular Session, as amended by Act 2023-280,  
5 2023 Regular Session, to further provide for the authority of  
6 the St. Clair County Mental Health Advisory Board; to further  
7 provide for the duties of the St. Clair County Mental Health  
8 Officer; and to authorize the mental health officer to provide  
9 for the commitment of certain individuals under certain  
10 conditions.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

15 "Section 1. (a) In addition to any filing or recording  
16 fee currently assessed, the Probate Office of St. Clair County  
17 shall charge an additional fee of six dollars fifty cents  
18 (\$6.50) for each matter filed or recorded in the probate  
19 office. After August 1, 2021, the St. Clair County Mental  
20 Health Advisory Board may increase or lower the fee; provided,  
21 the fee may not exceed eight dollars fifty cents (\$8.50).

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

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

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

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



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

33 (c) By the twentieth of each month following the  
34 collection of the fee, the proceeds of the fee shall be  
35 disbursed by the judge of probate to the county commission.  
36 The fees collected under this section shall be expensed as the  
37 advisory board directs and shall be expended for crisis  
38 intervention services, which may include, but are expressly  
39 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



57 responsibilities associated therewith.

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

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

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

70 ~~(4) (5) Contracting with other entities for services~~  
71 ~~that would otherwise be provided by the mental health officer~~  
72 ~~or assistant mental health officers. The advisory board may~~

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

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

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



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



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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162 Speaker of the House of Representatives  
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167 President and Presiding Officer of the Senate  
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170 House of Representatives  
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172 I hereby certify that the within Act originated in and  
173 was passed by the House 27-Feb-25.

174  
175 John Treadwell  
176 Clerk  
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182 Senate **01-Apr-25** Passed  
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