

HB254 INTRODUCED



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



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4 A BILL
5 TO BE ENTITLED
6 AN ACT

9 Relating to St. Clair County; to amend Section 1 of Act
10 2020-190, 2020 Regular Session, as amended by Act 2023-280,
11 2023 Regular Session, to further provide for the authority of
12 the St. Clair County Mental Health Advisory Board; to further
13 provide for the duties of the St. Clair County Mental Health
14 Officer; and to authorize the mental health officer to provide
15 for the commitment of certain individuals under certain
16 conditions.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

21 "Section 1. (a) In addition to any filing or recording
22 fee currently assessed, the Probate Office of St. Clair County
23 shall charge an additional fee of six dollars fifty cents
24 (\$6.50) for each matter filed or recorded in the probate
25 office. After August 1, 2021, the St. Clair County Mental
26 Health Advisory Board may increase or lower the fee; provided,
27 the fee may not exceed eight dollars fifty cents (\$8.50).

28 (b) There is established the St. Clair County Mental

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29 Health Advisory Board, which shall have five members as
30 follows:

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

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

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

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

39 (c) By the twentieth of each month following the
40 collection of the fee, the proceeds of the fee shall be
41 disbursed by the judge of probate to the county commission.

42 The fees collected under this section shall be expensed as the
43 advisory board directs and shall be expended for crisis
44 intervention services, which may include, but are expressly
45 not limited to, any of the following:

46 (1) A mental health officer, ~~who shall be an employee~~
47 ~~of the sheriff and appointed by the advisory board to serve at~~
48 ~~the advisory board's pleasure and under the day to day~~
49 ~~direction of the judge of probate. The duties, education,~~
50 ~~qualifications, training, and experience requirements of the~~
51 ~~position shall be set by the advisory board. All;~~ necessary
52 equipment, supplies, and training, including an appropriately
53 equipped vehicle, ~~shall also be provided as determined by the~~
54 ~~advisory board. The advisory board may appoint;~~ assistant
55 mental health officers; and support staff ~~as the advisory~~
56 ~~board may deem necessary. The assistant mental health officers~~



57 and support staff shall be employees of St. Clair County. The
58 advisory board shall set the salary or compensation for the
59 mental health officer and assistant mental health officers, if
60 any. The advisory board may also set performance standards and
61 take personnel actions as may be necessary, up to and
62 including termination of the mental health officer duties and
63 responsibilities associated therewith.

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

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

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

76 ~~(4)~~(5) Contracting with other entities for services
77 that would otherwise be provided by the mental health officer
78 or assistant mental health officers. ~~The advisory board may~~

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

83 Section 2. (a) The St. Clair County Mental Health
84 Advisory Board shall establish the duties, education,



85 qualifications, training, and experience requirements of the
86 St. Clair County Mental Health Officer, assistant mental
87 health officers, and support staff.

88 (b) The board may appoint an individual to serve as
89 mental health officer and one or more individuals to serve as
90 an assistant mental health officer or support staff. The
91 mental health officer, assistant mental health officers, and
92 support staff shall serve at the pleasure of the board.

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

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

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

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



113 (c) If the mental health officer determines from the
114 conditions, symptoms, and behavior that the individual appears
115 to have a mental illness and poses a real and present threat
116 of substantial harm to self or others, a law enforcement
117 officer shall take the individual into custody and deliver the
118 individual directly to a mental health facility. If the
119 responding mental health officer is a law enforcement officer
120 certified by the Alabama Peace Officers Standards and Training
121 Commission, the mental health officer may take the individual
122 into custody and deliver the individual to the mental health
123 facility. The responding mental health officer shall provide
124 notice to the mental health facility that the individual in
125 custody appears to have a mental illness and is in need of
126 examination and observation.

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

135 (e) (1) If the mental health facility determines the
136 individual's status requires commitment pursuant to Article 1
137 of Chapter 52 of Subtitle 2, Title 22, Code of Alabama 1975,
138 the mental health facility shall notify the Office of the St.
139 Clair County Mental Health Officer, which shall file a
140 petition for commitment with the probate court. The petition

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141 shall be signed not later than the second business day
142 following receipt of notice from the facility.

143 (2) If the mental health facility determines the
144 individual's status does not require commitment, the mental
145 health facility shall notify the Office of the St. Clair
146 County Mental Health Officer, which shall arrange for the
147 release of the individual from custody unless the individual
148 is otherwise subject to arrest pursuant to law. After the
149 individual is released and if so requested by the individual,
150 a mental health officer or a law enforcement officer shall
151 deliver the individual to the individual's residence or other
152 place of abode if it is within the county.

153 (f) Nothing in this section shall be construed to
154 authorize or permit any individual not licensed to practice
155 medicine to perform any act or render any service that
156 constitutes the practice of medicine.

157 Section 4. This act shall become effective on October
158 1, 2025.