

## HB254 INTRODUCED



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



A BILL  
TO BE ENTITLED  
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



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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.

(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~~



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~~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 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 ~~of~~ 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,



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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.



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

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

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



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

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

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

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