

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 37.1-71 of the Code of Virginia, relating to transportation and*
3 *involuntary commitment.*

4
5 Approved

[H 219]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 37.1-71 of the Code of Virginia is amended and reenacted as follows:**

8 § 37.1-71. Transportation of person certified for admission.

9 When a person has been certified for admission to a hospital under §§ 37.1-67.3, 37.1-67.4 or
10 § 37.1-67.6, a determination shall be made by the judge regarding the transportation of that person to the
11 proper hospital. The judge may consult with the person's treating mental health professional and any
12 involved community services board staff regarding the person's dangerousness and whether the sheriff
13 should transport or whether transportation alternatives as provided in § 37.1-72 may be utilized. If the
14 judge determines that the person requires transportation by the sheriff, such person may be delivered to
15 the care of the sheriff, as specified in this section, who shall transport such person to the proper
16 hospital. In no event shall transport commence later than six hours after notification to the sheriff of
17 such certification.

18 The sheriff of the jurisdiction where the person is a resident shall be responsible for transporting the
19 person unless the sheriff's office of such jurisdiction is located more than 100 *road* miles from the
20 *nearest boundary of the* jurisdiction in which the proceedings took place. In cases where the sheriff of
21 the jurisdiction of which the person is a resident is more than 100 *road* miles from the *nearest boundary*
22 *of the* jurisdiction in which the proceedings took place, it shall be the responsibility of the sheriff of the
23 latter jurisdiction to transport the person. The cost of transportation of any person so applying or
24 certified for admission pursuant to § 37.1-67.3 or § 37.1-67.4 shall be paid by the Commonwealth from
25 the same funds as for care in jail.

26 If any state hospital has become too crowded to accommodate any such person certified for
27 admission therein, the Commissioner shall give notice of the fact to all sheriffs and shall designate the
28 hospital to which they shall transport such persons.

ENROLLED

HB219ER