

Department of Planning 2019 Fiscal Impact Statement

1. Bill Number: SB1764

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Suetterlein

3. Committee: Courts of Justice

4. Title: Emergency custody orders; period of custody.

5. Summary: This bill provides that a person shall remain in custody under an emergency custody order until a temporary detention order is served. Under current law, such person remains in custody until a temporary detention order is issued.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: See 8 below.

8. Fiscal Implications: This bill requires that a person shall remain in custody under an emergency custody order (ECO) until a temporary detention order (TDO) is served. Current law mandates that an individual is to remain in custody under an ECO until a TDO is “issued”, for up to 8 hours, to assess the need for a TDO. This legislation would require law enforcement to maintain custody until the TDO has been “served”, which would likely require local law enforcement to use additional man hours to maintain custody of some individuals for an extended period of time. Because the number of individuals who will be impacted by this legislation is unknown, the impact on local law enforcement and public safety agencies is indeterminate.

9. Specific Agency or Political Subdivisions Affected: Department of Behavioral Health and Developmental Services, law enforcement, courts.

10. Technical Amendment Necessary: No.

11. Other Comments: None.