

**BILL SUMMARY**  
1<sup>st</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB2746</b>
<b>Version:</b>	<b>CS</b>
<b>Request Number:</b>	<b>7939</b>
<b>Author:</b>	<b>Rep. Miller</b>
<b>Date:</b>	<b>3/8/2023</b>
<b>Impact:</b>	<b>\$0</b>

**Research Analysis**

The committee substitute for HB 2746 creates the "Courtney Smith Act," which authorizes a guardian with general guardianship who has obtained a court order for the ward for inpatient mental health treatment to apply for an order requiring either municipal or county officials to retrieve, only if in an unsheltered environment, and deliver the gravely disabled ward to an inpatient treatment facility when one of the following criteria are met. This may occur if the ward is unable to utilize available means to provide for their basic personal needs, the ward is unable to voluntarily request and receive assistance for their basic personal needs, or the ward is unable to safely survive without involuntary detention and does not have other help. No person that has been evaluated or treated for a mental illness, either voluntarily or involuntarily, will presumed to be incompetent. The measure also includes definitions for "general guardianship," "gravely disabled," "inpatient mental health treatment," and "ward."

Prepared By: Suzie Nahach

**Fiscal Analysis**

This measure allows for the transportation of a ward to an inpatient treatment facility by municipal or county officials. In its current form, HB2746 is not anticipated to have an impact on state budget or appropriations.

Prepared By: Robert Flipping IV, House Fiscal Staff

**Other Considerations**

None.