

BILL SUMMARY
1st Session of the 59th Legislature

Bill No.:	SB552
Version:	FA1
Request Number:	8318
Author:	Worthen
Date:	4/25/2023
Impact:	Please see previous summary of this measure

Research Analysis

The FA1 to SB 552 provides that the reasonable period of time during which a person may receive treatment for the purpose of restoring competency for trial may not exceed 2 years or the maximum length of the sentence if the sentence is less than 2 years. The measure requires the court to notify the Department of Mental Health and Substance Abuse Services within 72 hours of filing an order of commitment. The Department is to provide a report to the court on any recommended treatment to attain competency. The measure also provides that treatment to restore competency may be administered in the jail or detention facility where the person is being held if the defendant is charged with a violent misdemeanor. Non-violent offenders deemed to be incompetent and in need of treatment shall have charges dismissed without prejudice and shall instead be subject to civil commitment proceedings. If competency is restored, the criminal proceedings are to be resumed by setting a competency hearing within 20 business days.

CHANGES MADE IN FLOOR SUBSTITUTE:

Authorizes the Legislative Office of Fiscal Transparency to conduct a review on the successes, and any opportunities for improvement in cost savings for jails, the expedited restoration of competency, the use of jail-based and outpatient competency restoration, and the effects on capacity of forensic bed treatment services.

Requires the Department of Mental Health and Substance Abuse Services or contracted entity be responsible for transportation.

Removes Title 22, Section 1175.6 from the bill.

Removes requirement that transportation be provided by the sheriff's department of the county where the person is charged.

Prepared By: Brad Wolgamott

Fiscal Analysis

The measure is currently under review and impact information will be completed.

Prepared By: House Fiscal Staff

Other Considerations

None.

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