

HOUSE BILL NO. HB0078

Involuntary commitment-detention options.

Sponsored by: Representative(s) Sommers, Baldwin and Harvey
and Senator(s) Cooper

A BILL

for

1 AN ACT relating to hospitalization of mentally ill persons;
2 specifying requirements for the emergency detention of
3 persons in nonmedical facilities; and providing for an
4 effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 25-10-109(d) is amended to read:

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10 **25-10-109. Emergency detention.**

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12 (d) A person taken into custody under this section
13 may be detained in a hospital or other suitable facility
14 which is appropriate under the circumstances. The person
15 shall not be detained in a nonmedical facility used for

1 detention of persons charged with or convicted of penal
2 offenses except in extreme emergency or if there are no
3 other reasonable alternatives. In no event shall a person
4 detained in a nonmedical facility be housed in the same
5 room as persons charged with or convicted of penal
6 offenses. The law enforcement officer who detained the
7 person shall immediately notify the person responsible for
8 the care and custody of the detained person, if known, of
9 the time and place of detention. For purposes of this
10 subsection, causes for determining that no other reasonable
11 alternatives exist include, but are not limited to,
12 situations where there are no hospitals or other suitable
13 facilities in the county of detention or no hospitals or
14 other suitable facilities in the county of detention that
15 accept persons for detention pursuant to this act.

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17 **Section 2.** This act is effective July 1, 2016.

18
19 (END)