

1 **INVOLUNTARY CIVIL COMMITMENT INFORMATION**

2 **AMENDMENTS**

3 2013 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Daniel W. Thatcher**

6 House Sponsor: _____

7

8 **LONG TITLE**

9 **General Description:**

10 This bill adds requirements for collecting certain information for an individual who a
11 court orders to be involuntarily civilly committed.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ adds a requirement that an application for an individual to be involuntarily civilly
15 committed contain ~~§~~→ , if reasonably available, ←~~§~~ the individual’s name, date of birth,
15a and ~~§~~→ [~~if available, the~~

16 ~~individual’s]~~ ←~~§~~ Social Security number.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **62A-15-631**, as last amended by Laws of Utah 2012, Chapter 248

24

25 *Be it enacted by the Legislature of the state of Utah:*

26 Section 1. Section **62A-15-631** is amended to read:

27 **62A-15-631. Involuntary commitment under court order -- Examination --**



28 **Hearing -- Power of court -- Findings required -- Costs.**

29 (1) Proceedings for involuntary commitment of an individual who is 18 years of age or
 30 older may be commenced by filing a written application with the district court of the county in
 31 which the proposed patient resides or is found, by a responsible person who has reason to know
 32 of the condition or circumstances of the proposed patient which lead to the belief that the
 33 individual has a mental illness and should be involuntarily committed. ~~§~~→ [That] The ←~~§~~
 33a application shall

34 [~~be accompanied by~~] include:

35 (a) ~~§~~→ unless the court finds that the information is not reasonably available, ←~~§~~ the
 35a individual's:

36 (i) name;

37 (ii) date of birth; and

38 (iii) Social Security number; and

39 (b) either:

40 [~~(a)~~] (i) a certificate of a licensed physician or a designated examiner stating that within
 41 a seven-day period immediately preceding the certification the physician or designated
 42 examiner has examined the individual, and that the physician or designated examiner is of the
 43 opinion that the individual is mentally ill and should be involuntarily committed; or

44 [~~(b)~~] (ii) a written statement by the applicant that:

45 [~~(i)~~] (A) the individual has been requested to, but has refused to, submit to an
 46 examination of mental condition by a licensed physician or designated examiner;

47 [~~(ii)~~] (B) is sworn to under oath; and

48 [~~(iii)~~] (C) states the facts upon which the application is based.

49 (2) Before issuing a judicial order, the court may require the applicant to consult with
 50 the appropriate local mental health authority, or may direct a mental health professional from
 51 that local mental health authority to interview the applicant and the proposed patient to
 52 determine the existing facts and report them to the court.

53 (3) If the court finds from the application, from any other statements under oath, or
 54 from any reports from a mental health professional that there is a reasonable basis to believe
 55 that the proposed patient has a mental illness which poses a substantial danger, as defined in
 56 Section 62A-15-602, to self or others requiring involuntary commitment pending examination
 57 and hearing; or, if the proposed patient has refused to submit to an interview with a mental
 58 health professional as directed by the court or to go to a treatment facility voluntarily, the court