

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Dietz**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND SUBCHAPTER 8 OF CHAPTER 64 OF TITLE 20 OF
9 THE ARKANSAS CODE RELATING TO INVOLUNTARY COMMITMENTS OF
10 PERSONS ADDICTED TO ALCOHOL OR DRUGS; AND FOR OTHER
11 PURPOSES."

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13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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15 SECTION 1. Arkansas Code 20-64-801 is hereby amended by inserting an
16 additional subsection at the end thereof to read as follows:

17 "(9) Evaluation means an assessment prepared by a certified substance
18 abuse counselor to include a description of the existence and extent of the
19 person's addiction to alcohol or drugs."

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21 SECTION 2. Arkansas Code 20-64-816 (c) is hereby amended to read as
22 follows:

23 "(c) If, based on the petition for involuntary commitment and request
24 for immediate confinement, the judge finds a reasonable cause to believe the
25 person meets the criteria set forth in this subchapter for involuntary
26 commitment and that the person is in imminent danger of death or serious
27 bodily harm, the court may grant the request and order a law enforcement
28 officer to place the person in immediate detention at the Benton
29 Detoxification Services Center for evaluation and treatment pending a hearing
30 to be scheduled and conducted pursuant to §20-64-821."

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32 SECTION 3. Arkansas Code 20-64-821 is hereby amended by inserting an
33 additional subsection at the end thereof to read as follows:

34 "(d) Every person remanded for treatment shall have an evaluation within
35 twenty-four (24) hours of detention."

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SECTION 4. Arkansas Code 20-64-825 is hereby amended to read as follows:

"(a) At any time during detention, the person may be converted to voluntary status if the person's certified substance abuse counselor files a written statement of consent with the court. The court shall dismiss the petition immediately upon the filing of said statement.

(b) If, upon evaluation, the certified substance abuse counselor determines that the person is not addicted to alcohol or drugs or would benefit by an alternative method of treatment, the counselor shall file a copy of the evaluation with the court along with a request for amendment of the court's order of detention."

SECTION 5. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 6. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 7. All laws and parts of laws in conflict with this act are hereby repealed.