1 State of Arkansas

2 78th General Assembly

A BillACT 150 OF 1991

HOUSE BILL 1271

3 Regular Session, 19914 By: Representative Dietz

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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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- 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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1	SECTION 4. Arkansas Code 20-64-825 is hereby amended to read as
2	follows:
3	"(a) At any time during detention, the person may be converted to
4	voluntary status if the person's certified substance abuse counselor files a
5	written statement of consent with the court. The court shall dismiss the
6	petition immediately upon the filing of said statement.
7	(b) If, upon evaluation, the certified substance abuse counselor
8	determines that the person is not addicted to alcohol or drugs or would
9	benefit by an alternative method of treatment, the counselor shall file a copy
10	of the evaluation with the court along with a request for amendment of the
11	court's order of detention."
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13	SECTION 5. All provisions of this act of a general and permanent nature
14	are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
15	Revision Commission shall incorporate the same in the Code.
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17	SECTION 6. If any provision of this act or the application thereof to
18	any person or circumstance is held invalid, such invalidity shall not affect
19	other provisions or applications of the act which can be given effect without
20	the invalid provision or application, and to this end the provisions of this
21	act are declared to be severable.
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23	SECTION 7. All laws and parts of laws in conflict with this act are
24	hereby repealed.
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26	APPROVED: 2-18-91
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