

1 State of Arkansas As Engrossed: S3/14/11 S3/17/11 H3/25/11 H3/31/11

2 88th General Assembly

# A Bill

3 Regular Session, 2011

SENATE BILL 707

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5 By: Senator B. Pritchard

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## For An Act To Be Entitled

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AN ACT TO AMEND ARKANSAS LAW CONCERNING INVOLUNTARY

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COMMITMENTS OF PERSONS ADDICTED TO ALCOHOL AND DRUGS;

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AND FOR OTHER PURPOSES.

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## Subtitle

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TO AMEND ARKANSAS LAW CONCERNING

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INVOLUNTARY COMMITMENTS OF PERSONS

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ADDICTED TO ALCOHOL AND DRUGS.

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

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21 SECTION 1. Arkansas Code § 20-64-821 is amended to read as follows:

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20-64-821. Initial hearing – Determination – Evaluation.

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(a) In each case a hearing shall be set by the court within five (5)

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days, excluding weekends and holidays, of the filing of a petition for

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involuntary commitment, with a request for continued detention or for

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involuntary commitment with a request for immediate detention.

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(b)(1)(A) A person named in a petition for involuntary commitment who

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is placed in immediate detention pending a hearing may undergo a screening

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and assessment within twenty-four (24) hours of the immediate detention.

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(B)(i) Except as provided in subdivision (b)(1)(C) of this

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section, a screening and assessment shall be conducted by a contractor with

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the Office of Alcohol and Drug Abuse Prevention.

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(ii) The Office of Alcohol and Drug Abuse Prevention

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shall assign contractors to conduct screenings and assessments under this

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subdivision (b)(1).

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(iii) The Office of Alcohol and Drug Abuse



1 Prevention shall assume the cost of the screening and assessment.

2 (C)(i) If a person named in a petition for involuntary  
3 commitment who is placed in immediate detention pending a hearing declines a  
4 screening and assessment by a contractor with the Office of Alcohol and Drug  
5 Abuse Prevention under subdivision (b)(1)(B) of this section, the person may  
6 undergo a screening and assessment by a qualified professional of his or her  
7 choosing within twenty-four (24) hours of the immediate detention.

8 (ii) The person named in the petition for  
9 involuntary commitment shall assume the cost of a screening and assessment by  
10 a qualified professional of his or her choosing.

11 (2)(A) The person conducting a screening and assessment under  
12 subdivision (b)(1) of this section shall provide a copy of the results of the  
13 screening and assessment to the person named in the petition for involuntary  
14 commitment and the prosecuting attorney.

15 (B)(i) The prosecuting attorney may provide a copy to the  
16 court.

17 (ii) The court may consider the contents of the  
18 screening and assessment as part of its determination of whether the  
19 standards for involuntary commitment apply to the person.

20 ~~(b)(c)~~ The person named in the original petition may be removed from  
21 the presence of the court upon finding that his or her conduct before the  
22 court is so disruptive that proceedings cannot be reasonably continued with  
23 him or her present.

24 ~~(e)(d)~~ The petitioner shall appear before the probate judge to  
25 substantiate the petition. The court shall make a determination based upon  
26 clear and convincing evidence that the standards for involuntary commitment  
27 apply to the person. If such a determination is made, the person shall be  
28 remanded to a designated agent of the ~~Bureau~~ Office of Alcohol and Drug Abuse  
29 Prevention or the designated receiving facility for treatment for a period of  
30 up to twenty-one (21) days.

31 ~~(d)(e)~~ Every person remanded for treatment shall have ~~an evaluation~~  
32 ~~within forty-eight (48)~~ a treatment plan within twenty-four (24) hours of  
33 detention.

34 ~~(e)(f)~~ A copy of the court order committing the person to the  
35 designated receiving facility for treatment shall be forwarded to the  
36 designated receiving facility within five (5) working days.

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*/s/B. Pritchard*

**APPROVED: 04/04/2011**