



**Colorado
Legislative
Council
Staff**

SB16-169

FISCAL NOTE

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 16-1125 **Date:** March 29, 2016
Prime Sponsor(s): Sen. Martinez Humenik; **Bill Status:** Senate Judiciary
 Cooke **Fiscal Analyst:** Amanda Hayden (303-866-4918)
 Rep. Kraft-Tharp; Landgraf

BILL TOPIC: EMERGENCY 72-HOUR MENTAL HEALTH PROCEDURES

Fiscal Impact Summary	FY 2015-2016 (Current year)	FY 2016-2017	FY 2017-2018
State Revenue			
State Expenditures	Potential workload increase.		
Appropriation Required: None.			
Future Year Impacts: Ongoing potential workload increase.			

Summary of Legislation

This bill changes emergency procedures for people dealing with mental health crises. The bill expands options for intervening professionals that take a person into custody as a result of a mental health crisis, adding that they may take a person to an emergency medical services facility in addition to a designated facility. An emergency medical services facility is defined as any hospital or health facility licensed or certified by the state to provide emergency medical services. A person may not be held in emergency custody longer than 72 hours, excluding any time required for non-psychiatric medical screening and treatment.

Current law allows a person to be taken to a law enforcement facility, such as jail, for no more than 24 hours, if emergency medical services or designated facilities are unavailable. Under the bill, if a designated facility is not available within 24 hours, a sheriff may petition the court for a one-time order granting an extension, not to exceed 72 hours.

Background

In FY 2014-15, 125 people were held on emergency 72-hour holds at the Colorado Mental Health Institute at Pueblo (CMHIP) and 191 people were held at the Colorado Mental Health Institute at Fort Logan (CMHIFL). The current average daily rate at CMHIP is \$666 for adults and \$1,232 for adolescents. At the CMHIFL, the daily rate is \$868.

State Expenditures

Starting in the current year, FY 2015-16, this bill may increase trial court workload by a minimal amount in the Judicial Department. Law enforcement officers holding a person in custody for a mental health crisis can petition the court for a court order granting an extension to an emergency hold in a law enforcement facility. This provision may increase workload in trial courts by a minimal amount but requires no increase in appropriations to the Judicial Department.

Local Government Impact

The bill may increase county sheriff workload and decrease costs for county jails. The bill requires sheriffs to obtain a court order in the event that a person must be held in emergency custody in jail for longer than 24 hours. While this provision may increase workload, it may also reduce costs by allowing sheriffs to jail rather than provide around the clock supervision of individuals held in emergency custody while waiting for a designated facility to become available.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Corrections
Information Technology
Sheriffs

Counties
Judicial

Human Services
Municipalities