



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature

First Regular Session

Senate: MABS DP 7-0-0-0 | 3rd Read 28-0-2-0

SB 1163: veterans; emergency admission; transport

Sponsor: Senator Gowan, LD 19

Committee on Public Safety & Law Enforcement

Overview

An emergency measure that extends certain responsibilities of a peace officer relating to admitting an individual to an evaluating agency to a police officer employed by the United States Department of Veteran Affairs (VA).

History

A peace officer, on the advice of the admitting officer of the evaluating agency regarding emergency examination and admission of a proposed patient, must apprehend and transport a person to an evaluation agency. In instances in which statutory emergency admission procedures are not available, a peace officer may take into custody any individual the peace officer has reasonable cause to believe is, as a result of a mental disorder, a danger to self or others and that during the time necessary to complete prepetition screening procedures the person is likely without immediate hospitalization to suffer serious physical harm or serious illness or inflict serious physical harm on another person. The peace officer must transport the individual to a screening agency unless the person's conditions or the agency's location or hours makes such transportation impractical, in which event the person must be transported to an evaluation agency. A peace officer who makes good faith efforts to follow statutory requirements is not subject to civil liability (A.R.S. §§ [36-524](#) and [36-525](#)).

Provisions

1. Permits a police officer employed by the VA to make a telephonic or written application for emergency admission of individuals to an evaluation agency for mental health services. (Sec. 1)
2. Authorizes a police officer employed by the VA to take into custody, apprehend and transport an individual to an evaluation agency on the advice of an admitting officer if there is reasonable cause to believe an emergency examination is necessary. (Sec. 1)
3. Stipulates that this Act includes taking into custody or apprehending a person who is a veteran of the U.S. Armed Forces. (Sec. 2)
4. Requires, if apprehension occurs on the premises of the apprehended person, a police officer employed by the VA to take reasonable precautions to safeguard the premises and property. (Sec. 2)
5. Exempts a police officer employed by the VA who makes a good faith effort to follow laws relating to apprehension by peace and police officers from civil liability. (Sec. 2)
6. Contains an emergency clause. (Sec. 3)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☒ Emergency (40 votes)

☐ Fiscal Note