



Senate Fiscal Agency  
P.O. Box 30036  
Lansing, Michigan 48909-7536



## BILL ANALYSIS

Telephone: (517) 373-5383  
Fax: (517) 373-1986

Senate Bill 101 (Substitute S-3 as reported)  
Sponsor: Senator Ed McBroom  
Committee: Health Policy and Human Services

### **CONTENT**

The bill would amend the Mental Health Code to do the following:

- Allow a county board of commission to establish a county mental health transportation panel for the purpose of establishing a transportation mechanism to serve as an alternative to a peace officer's transportation of an individual when required under the Code, and prescribe the membership of the panel.
- Allow the panel to recommend a contract with a private security company to hire security transport officers to transport individuals for involuntary hospitalization or screening under the Code and allow a county board of commissioners to enter into that contract only upon that recommendation.
- Require a private security company to meet certain requirements in order to enter into a contract with a county board of commissioners, including maintaining certain insurance coverage.
- Create the Mental Health Transportation Fund within the State Treasury.
- Modify various provisions to allow a court to order a security transport officer to transport an individual for involuntary hospitalization or screening under the Code.
- Specify that a private security company, or a security transport officer, would not be an employee, officer, or agent of the county or the community mental health transportation panel.

MCL 330.1100d et al.

Legislative Analyst: Stephen Jackson

### **FISCAL IMPACT**

The bill would have an indeterminate negative fiscal impact on the Department of Health and Human Services. Costs to the State would increase if there were an appropriation to the Mental Health Transportation Fund, although the magnitude of that cost would depend on the amount and type of funds appropriated.

Additionally, the bill would have an indeterminate negative fiscal impact on local units of government. Because the bill would allow, but would not mandate, counties to establish contracts with private security firms for mental health transportation, it would be left to the individual county to determine its level of investment. A county could incur costs as a coinsured under the bill's nonmotor vehicle liability insurance requirements. The magnitude of these costs would be determined by the price of the policy in question and on the terms of any contract developed between a county and a private security company. If property damage, personal injuries, or death occurred and resulted in claims against the county, the county could incur unknown costs related to legal expenditures. These costs could be partially offset by expenditures from the Mental Health Transportation Fund, which the bill would

establish. The ability to offset county costs would depend on the amount of revenue within the Fund and any appropriations by the Legislature.

The bill would have no fiscal impact on the Department of Treasury. Based on the level of estimated revenue within the Fund, the ongoing costs associated with administering and investing the Fund would be less than \$100 and would be within current appropriations.

Date Completed: 10-12-21

Fiscal Analyst: Ellyn Ackerman  
Elizabeth Raczowski  
Cory Savino