

HOUSE BILL 7028

By Gillespie

AN ACT to amend Tennessee Code Annotated, Title 16;
Title 18; Title 33 and Title 68, relative to
notifications of mental health adjudications and
commitments.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 33-3-117(a), is amended by designating the existing language as subdivision (1) and adding the following new subdivision:

(2) As used in subdivision (a)(1), "local law enforcement" means the municipal police or county sheriff with jurisdiction over the location where:

(A) The service recipient permanently resides, if the service recipient is a resident of this state; or

(B) The inpatient treatment facility is located, if the service recipient is not a resident of this state.

SECTION 2. Tennessee Code Annotated, Section 33-3-117(b), is amended by deleting the language "pursuant to subsection (a), the facility" and substituting "pursuant to subdivision (a)(1), then the facility".

SECTION 3. Tennessee Code Annotated, Title 33, Chapter 3, Part 1, is amended by adding the following as a new section:

A clerk of court who maintains records of the adjudication as a mental defective or judicial commitment to a mental institution pursuant to chapter 6 or 7 of this title of a person who is a resident of this state shall send notice of the adjudication or commitment to the clerk of court in the county of the person's permanent residence no later than five

(5) business days after the date adjudication as a mental defective is made or judicial commitment is ordered.

SECTION 4. Tennessee Code Annotated, Section 68-11-210(f)(2)(A), is amended by designating the existing language as subdivision (i) and adding the following new subdivision:

(ii) As used in subdivision (f)(2)(A)(i), "local law enforcement" means the municipal police or county sheriff with jurisdiction over the location where:

(a) The service recipient permanently resides, if the service recipient is a resident of this state; or

(b) The inpatient treatment facility is located, if the service recipient is not a resident of this state.

SECTION 5. Tennessee Code Annotated, Section 68-11-210(f)(2)(B), is amended by deleting the language "If hospital is required to report pursuant to subdivision (f)(2)(A), the hospital" and substituting "If a hospital is required to report pursuant to subdivision (f)(2)(A)(i), then the hospital".

SECTION 6. This act takes effect October 1, 2023, the public welfare requiring it.