

WORKING DRAFT

HOUSE BILL NO. _____

Involuntary hospitalization proceedings.

Sponsored by: Select Committee on Mental Health and
Substance Abuse Services

A BILL

for

1 AN ACT relating to involuntary commitments; amending
2 procedures for the involuntary commitment of persons with
3 mental illnesses; eliminating a requirement that the
4 Wyoming state hospital be the hospital of last resort; and
5 providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 25-10-110(a)(intro) and (j)(intro)
10 are amended to read:

11

12 **25-10-110. Involuntary hospitalization proceedings.**

13

14 (a) Proceedings for the involuntary hospitalization
15 of a person may be commenced by the filing of a written

1 application with the court in the county in which the
2 person is initially detained. Proceedings may also be
3 initiated in the county in which there is a designated
4 hospital if there is a written agreement executed by the
5 county attorney of the county in which the person resides
6 and the designated hospital stating that the county in
7 which the person resides will be responsible for costs
8 under W.S. 25-10-112(e) that are not covered by the state.

9 The application shall be accompanied by either:

10
11 (j) If, upon completion of the hearing and
12 consideration of the record, the court or the jury finds by
13 clear and convincing evidence that the proposed patient is
14 mentally ill the court shall consider the least restrictive
15 and most therapeutic alternatives, ~~and the state hospital~~
16 ~~shall serve as a hospital of last resort to receive~~
17 ~~patients if no designated hospital or other licensed~~
18 ~~treatment facility is readily available,~~ and shall:

19
20 **Section 2.** This act is effective July 1, 2007.

21
22 (END)