

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH SESSION

S.F. No. 647

(SENATE AUTHORS: ORTMAN, Ingebrigtsen, Bonoff, Nelson and Goodwin)

DATE	D-PG	OFFICIAL STATUS
02/21/2013	352	Introduction and first reading Referred to Judiciary
03/18/2013	1163a 1179	Comm report: To pass as amended Second reading
03/20/2013	1357	General Orders: Stricken and re-referred to Finance
04/24/2013	3012a 3014	Comm report: To pass as amended Second reading Rule 47, returned to Finance

A bill for an act

1.1
 1.2 relating to civil commitment; limiting the time period that a person may be held
 1.3 in jail or state correctional facility pending or after civil commitment; amending
 1.4 Minnesota Statutes 2012, section 253B.10, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 253B.10, subdivision 1, is amended to read:

1.7 Subdivision 1. **Administrative requirements.** (a) When a person is committed,
 1.8 the court shall issue a warrant or an order committing the patient to the custody of the
 1.9 head of the treatment facility. The warrant or order shall state that the patient meets the
 1.10 statutory criteria for civil commitment.

1.11 (b) The commissioner shall prioritize patients being admitted from jail or a
 1.12 correctional institution who are:

1.13 (1) ordered confined in a state hospital for an examination under Minnesota Rules of
 1.14 Criminal Procedure, rules 20.01, subdivision 4, paragraph (a), and 20.02, subdivision 2;

1.15 (2) under civil commitment for competency treatment and continuing supervision
 1.16 under Minnesota Rules of Criminal Procedure, rule 20.01, subdivision 7;

1.17 (3) found not guilty by reason of mental illness under Minnesota Rules of Criminal
 1.18 Procedure, rule 20.02, subdivision 8, and under civil commitment or are ordered to be
 1.19 detained in a state hospital or other facility pending completion of the civil commitment
 1.20 proceedings; or

1.21 (4) committed under this chapter to the commissioner after dismissal of the patient's
 1.22 criminal charges.

2.1 Patients described in this paragraph must be admitted to a service operated by the
2.2 commissioner within 48 hours. The commitment must be ordered by the court as provided
2.3 in section 253B.09, subdivision 1, paragraph (c).

2.4 (c) Upon the arrival of a patient at the designated treatment facility, the head of the
2.5 facility shall retain the duplicate of the warrant and endorse receipt upon the original
2.6 warrant or acknowledge receipt of the order. The endorsed receipt or acknowledgment
2.7 must be filed in the court of commitment. After arrival, the patient shall be under the
2.8 control and custody of the head of the treatment facility.

2.9 (d) Copies of the petition for commitment, the court's findings of fact and
2.10 conclusions of law, the court order committing the patient, the report of the examiners,
2.11 and the prepetition report shall be provided promptly to the treatment facility.