



House Republican Staff Analysis

Bill: HF 182/SF 259
Committee: Judiciary
Date: 3/22/2011
Member: Rep. Hagenow
Staff: Amanda Freel (1-5230)

Summary

Requires mental health and substance abuse inquiry and community treatment options to be included in presence investigation report.

Summary of Action

- Passed Subcommittee 1/26/11
 - Passed House Judiciary Committee 1/31/11 (19-1)
 - Amended to conform to Senate File 259
 - Passed as SF259 3/22/2011
 - Signed by Governor 3/30/2011
-

Section-by-Section

The judicial district department of correctional services who is conducting a presence investigation shall inquire about defendants mental health and substance abuse history and treatment options available in the community and correctional system.

Before altering a sentence the court must also consider the defendants mental health, substance abuse history and treatments options that are available in the corrections system and community options.

If the defendant has a history of mental health or substance abuse the investigator shall inquire into the treatment options available in both the community of the defendant and the correctional system.

If defendant does not release the specific mental health or substance abuse information it shall not be used in the report but the refusal may be noted.