

AMENDMENT # 2

OFFERED IN THE SENATE  
TO: CSSB 53(FIN)

BY SENATOR CLAMAN

1 Page 4, following line 7:

2 Insert a new bill section to read:

3 **\*\* Sec. 5.** AS 47.30.705 is amended by adding new subsections to read:

4 (e) The department shall promptly transport a person who is detained at a  
5 medical or other facility, including a correctional facility under (a) of this section or  
6 AS 47.30.706, to a crisis residential center or evaluation facility for an evaluation  
7 under AS 47.30.715. The person may not be detained for more than 10 days while  
8 awaiting transportation to a crisis residential center or evaluation facility unless a court  
9 extends the detention under (f) of this section.

10 (f) The department or a facility detaining a person under (a) or (e) of this  
11 section may file a request to extend the detention based on the person continuing to  
12 meet the standards for commitment under AS 47.30.700 and the need for a continued  
13 hold. The request must be supported by the verified or certified statement of a mental  
14 health professional and be served on the respondent, the respondent's attorney, and the  
15 division of the Department of Law that has responsibility for civil cases. When the  
16 court decides a request to extend the detention pending transportation, the court shall  
17 consider the following factors:

- 18 (1) the length of time the person has been detained;  
19 (2) the reason the person has not yet been transported;  
20 (3) the person's current medical and psychiatric condition;  
21 (4) whether the person is gravely disabled or is likely to cause serious  
22 harm to self or others; and  
23 (5) whether the person is receiving treatment at their current

1 placement.

2 (g) If requested by the respondent, the court shall schedule a hearing to decide  
3 a request to extend detention under (f) of this section. The hearing shall be held not  
4 later than 72 hours after expiration of the 10-day detention period. If a hearing is held  
5 after expiration of the 10-day detention period, the detention shall be extended until  
6 the hearing.

7 (h) Regardless of whether a request to extend the respondent's detention has  
8 been filed, if at any time in the course of the detention a mental health professional at  
9 the detaining facility determines that the person does not meet the standards for  
10 commitment under AS 47.30.700, the respondent shall be released and the facility  
11 shall notify the petitioner, the respondent's attorney, the division of the Department of  
12 Law that has responsibility for civil cases, and the court."

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14 Renumber the following bill sections accordingly.