

ASSEMBLY BILL

No. 1340

Introduced by Assembly Members Santiago and Friedman
(Principal coauthor: Senator Stern)

February 19, 2021

An act relating to mental health.

LEGISLATIVE COUNSEL'S DIGEST

AB 1340, as introduced, Santiago. Mental health services: involuntary detention.

Existing law, the Lanterman-Petris-Short Act, authorizes the involuntary commitment and treatment of persons with specified mental health disorders for the protection of the persons so committed. Under the act, if a person, as a result of a mental health disorder, is a danger to others, or to themselves, or is gravely disabled, the person may, upon probable cause, be taken into custody by a peace officer, a member of the attending staff of an evaluation facility, designated members of a mobile crisis team, or another designated professional person, and placed in a facility designated by the county and approved by the State Department of Social Services as a facility for 72-hour treatment and evaluation. The act also authorizes a conservator of the person, of the estate, or of both, to be appointed for a person who is gravely disabled as a result of a mental health disorder. For these purposes, existing law defines “gravely disabled” to mean either a condition in which a person, as a result of a mental health disorder or chronic alcoholism, is unable to provide for the person’s basic personal needs for food, clothing, or shelter, or a condition in which a person has been found mentally incompetent, as specified.

This bill would state the intent of the Legislature to enact legislation to reform the Lanterman-Petris-Short Act, including expanding the definition of “gravely disabled” to add a condition in which a person is unable to provide for their own medical treatment as a result of a mental health disorder, and emphasizing the necessity to create policies that prioritize living safely in communities.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature to enact
2 legislation to reform the Lanterman-Petris-Short Act, including
3 expanding the definition of “gravely disabled” to add a condition
4 in which a person is unable to provide for their own medical
5 treatment as a result of a mental health disorder, and emphasizing
6 the necessity to create policies that prioritize living safely in
7 communities.