

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 61 By Senator Heitmeier

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

HEALTH/HOSPITALS DEPT. Allows the Department of Health and Hospitals, upon court order, to use restraints on certain children during transport. (gov sig)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Clarifies that proposed law applies where a child is found to be incompetent pursuant to a felony charge and the child is a flight risk.
2. Requires the use of restraints pursuant to proposed law to comply with the DHH policy on seclusion and restraints.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

DIGEST

Heitmeier

SB No. 61

Present law provides the procedure for determining whether a child has the mental capacity to proceed in certain delinquency proceedings.

Proposed law retains present law and further provides that subsequent to a finding that a child is incompetent to proceed pursuant to a felony charge, upon a showing of good cause that the child presents a danger of flight, the court may authorize DHH to use appropriate restraints on the person of a child during transport, until further order of the court. Requires the use of restraints to comply with the DHH policy on seclusion and restraints.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds Ch. C. Art. 837(I))

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