

AN ACT

*Codification
District of
Columbia
Official Code*

2001 Edition

2004 Fall
Supp.

West Group
Publisher

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, Chapter 5 of Title 21 of the District of Columbia Official Code to provide that the commitment of a person for an indeterminate period under section 21-545 of the District of Columbia Official Code shall expire 548 days after the effective date of a federal law enacting provisions of the Mental Health Civil Commitment Act of 2002 that will make all subsequent commitments for a one-year period, unless the chief clinical officer of the Department, facility, hospital, or mental health provider has petitioned for recommitment of the person.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Mental Health Civil Commitment Extension Temporary Act of 2004”.

Sec. 2. Chapter 5 of Title 21 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the phrase “21-589.01. Interim provisions for term of commitment for persons committed prior to January 1, 2003.” and inserting the phrase “21-589.01. Interim provisions for term of commitment.” in its place.

(b) Section 21-589.01 is amended to read as follows:

“§ 21-589.01. Interim provisions for term of commitment.

“(a) The commitment of a person committed under section 21-545 for an indeterminate period of time shall expire 548 days after the effective date of the federal law enacting section 2(d), (e), (l)(2), (r)(3) and (4), (t), and (u) of the Mental Health Civil Commitment Act of 2002, effective April 4, 2003 (D.C. Law 14-283; 50 DCR 917), unless the chief clinical officer of the Department, facility, hospital, or mental health provider has petitioned for recommitment of the person.

“(b) A petition for recommitment under this section shall be subject to the provisions for a petition for renewal of commitment brought under section 21-545.01 unless the provision is inconsistent with this section.

“(c) A petition for recommitment may be filed at any time during the 548-day period, but not later than 60 days prior to the expiration of the 548-day period. For good cause shown, a petition for recommitment may be filed within the last 60 days of the 548-day period.

Note,
§ 21-589.01

ENROLLED ORIGINAL

“(d) If a petition for recommitment is pending at the expiration of the 548-day period, the period of commitment shall be extended pending resolution of the petition.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia