

1 HB367
2 203751-1
3 By Representative Hill (N & P)
4 RFD: Local Legislation
5 First Read: 03-MAR-20

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to St. Clair County; to provide for an
14 additional fee on matters filed or recorded in the probate
15 office; to provide for the distribution of the fee; and to
16 provide for the creation of the St. Clair County Mental Health
17 Advisory Board and provide for its duties and authority.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. (a) In addition to any filing or
20 recording fee currently assessed, the Probate Office of St.
21 Clair County shall charge an additional fee of six dollars and
22 fifty cents (\$6.50) for each matter filed or recorded in the
23 Probate Office of St. Clair County. After the first year of
24 the operation of this act, the St. Clair County Mental Health
25 Advisory Board may increase or lower the fee; provided, the
26 fee may not exceed eight dollars and fifty cents (\$8.50).

1 (b) There is established the St. Clair County Mental
2 Health Advisory Board, which shall have three members as
3 follows:

4 (1) The Chair of the St. Clair County Commission, or
5 his or her designee.

6 (2) The Sheriff of St. Clair County.

7 (3) The St. Clair County Judge of Probate.

8 (c) By the twentieth of each month following the
9 collection of the fee, the proceeds of the fee shall be
10 disbursed by the judge of probate to the St. Clair County
11 Commission. The fees collected under this section shall be
12 expensed as the St. Clair County Mental Health Advisory Board
13 directs and shall be expended for crisis intervention
14 services, which may include, but are expressly not limited to,
15 any of the following:

16 (1) A mental health officer, who shall be an
17 employee of the Sheriff of St. Clair County and appointed by
18 the St. Clair County Mental Health Advisory Board to serve at
19 the board's pleasure and under the day to day direction of the
20 judge of probate of St. Clair County. The duties, education,
21 qualifications, training, and experience requirements of the
22 position shall be set by the advisory board. All necessary
23 equipment, supplies, and training, including an appropriately
24 equipped vehicle, shall also be provided as determined by the
25 advisory board. The advisory board may appoint assistant
26 mental health officers and support staff as the advisory board
27 may deem necessary. The advisory board shall set the salary or

1 compensation for the mental health officer and assistant
2 mental health officers, if any. The advisory board may also
3 set performance standards and take personnel actions as may be
4 necessary, up to and including termination of the mental
5 health officer duties and responsibilities associated
6 therewith.

7 (2) Admissions at a certified psychiatric inpatient
8 unit, which shall be directed or approved by the judge of
9 probate, the mental health officer, or an assistant mental
10 health officer and shall be based upon available funds as
11 determined by the St. Clair County Mental Health Advisory
12 Board.

13 (3) Crisis intervention, which shall be provided
14 through programs of the advisory board or otherwise shall
15 include, but not be limited to, salaries, equipment, and other
16 expenses related to mental health related services and
17 treatment.

18 (4) Contracting with other entities for services
19 that would otherwise be provided by the mental health officer
20 or assistant mental health officers. The St. Clair County
21 Mental Health Advisory Board may purchase other necessary
22 services or pay necessary expenses, including, but not limited
23 to, the obtaining of liability insurance for the advisory
24 board, its members, and its employees, if any.

25 Section 2. No later than November 1 of each calendar
26 year, the advisory board shall submit to the St. Clair County
27 Commission a written report of all income received under this

1 act and the itemized expenditures of the income so received
2 for the preceding fiscal year.

3 Section 3. The St. Clair County Mental Health
4 Advisory Board, board members, Mental Health Officer, and
5 assistant mental health officers shall be granted immunity
6 from liability, except for intentional wrongful and wanton
7 acts.

8 Section 4. The St. Clair County Mental Health
9 Advisory Board shall oversee the implementation of the mental
10 health officer crisis intervention procedures.

11 Section 5. The St. Clair County Mental Health
12 Advisory Board shall give notice of employment positions and
13 hire any employment positions the board deems necessary to
14 effectuate the intent of this act, including mental health
15 officers, assistant mental health officers, and support staff
16 in accordance with the posting and hiring policies utilized by
17 the St. Clair County Sheriff's Office.

18 Section 6. The St. Clair County Mental Health
19 Advisory Board shall provide additional specialized training
20 related to crisis intervention, mental health center
21 operations, and the evaluation of persons suspected to be
22 mentally ill to the mental health officer, and assistant
23 mental health officers, if any.

24 Section 7. This act shall become effective on the
25 first day of the third month following its passage and
26 approval by the Governor, or its otherwise becoming law.