

ASSEMBLY BILL

No. 2614

Introduced by Assembly Member Houston
(Coauthor: Senator Steinberg)

February 22, 2008

An act to amend Section 7275 of the Welfare and Institutions Code, relating to mental health facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2614, as introduced, Houston. State hospitals for the mentally disordered.

Existing law allows for the commitment of persons who are mentally disordered to state hospitals. Existing law contains provisions governing liability for costs of this care, including liability for the costs of persons who are committed because they are found not guilty by reason of insanity in a criminal trial or who are found to be not competent to stand trial on a criminal charge.

This bill would remove financial liability to the patient, their family, or their estate, if the person was committed to a state hospital for the mentally disordered as a result of a verdict of not guilty by reason of insanity or a determination that they are not competent to stand trial in a criminal court.

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

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

- 1 SECTION 1. Section 7275 of the Welfare and Institutions Code
- 2 is amended to read:

1 7275. The husband, wife, father, mother, or children of a patient
2 in a state hospital for the mentally disordered, the estates of such
3 persons, and the guardian or conservator and administrator of the
4 estate of such patient shall cause him to be properly and suitably
5 cared for and maintained, and shall pay the costs and charges of
6 his transportation to a state institution. The husband, wife, father,
7 mother, or children of a patient in a state hospital for the mentally
8 disordered and the administrators of their estates, and the estate
9 of such person shall be liable for his care, support, and maintenance
10 in a state institution of which he is a patient. The liability of ~~such~~
11 *these* persons and estates shall be a joint and several liability, ~~and~~
12 ~~such liability~~. *Liability shall not exist whether if* the person has
13 become a patient of a state institution pursuant to ~~the provisions~~
14 ~~of this code or pursuant to the provisions of Sections~~ *Section* 1026,
15 1368, 1369, 1370, ~~and or~~ 1372 of the Penal Code.
16 This section does not impose liability for the care of mentally
17 retarded persons in state hospitals.

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