
A BILL FOR AN ACT

RELATING TO FORENSIC MENTAL HEALTH PROCEDURES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to shorten the
2 amount of time defendants spend in state custody awaiting
3 forensic mental health examinations and the resultant rulings on
4 fitness to proceed and penal responsibility, by separating the
5 two evaluations. Under section 704-404, Hawaii Revised
6 Statutes, when a defendant's fitness to proceed comes into
7 question, the criminal proceedings are stopped, and the court
8 must order a physical or mental examination of the defendant to
9 determine both the defendant's fitness to proceed and whether
10 the defendant was penally responsible for the alleged crime.
11 Section 704-404(4), Hawaii Revised Statutes, requires the court
12 to order a forensic examiner to conduct an evaluation and report
13 on several elements including: fitness to stand trial; a
14 diagnosis; and penal responsibility. Penal responsibility is a
15 measure of the capacity of the defendant to appreciate the
16 wrongfulness of the defendant's conduct or to conform the
17 defendant's conduct to the requirements of law at the time of



1 the conduct alleged. An evaluation of fitness does not
2 necessarily require determining a diagnosis or an exhaustive
3 record review, as it involves an examination of a defendant's
4 current cognitive capacity and state. An evaluation of penal
5 responsibility and clinical diagnosis is a more involved and
6 time consuming endeavor requiring a thorough record review and a
7 more complex examination of both current cognitive status and
8 the defendant's state of mind at various points in the past.
9 While evaluations of fitness to proceed are utilized by the
10 court in each instance that they are ordered, only some of the
11 evaluations of penal responsibility are ever utilized, because
12 they only become relevant if the affirmative defense of lack of
13 penal responsibility is found to be appropriate by the court.
14 Pairing them together is more burdensome to the process,
15 lengthens the time to complete the evaluation and report to the
16 court, and generates a product that may not be utilized during
17 adjudication.

18 Furthermore, pairing fitness and penal responsibility in
19 one evaluation implicates ethical and legal concerns, because
20 defendants who are unfit to proceed, by definition, may not have
21 sufficient capacity to consult with defense counsel to determine



1 the impact of providing incriminating information to the
2 examiner relevant to the defendant's state of mind at the time
3 of the crime. The American Bar Association's Criminal Justice
4 Mental Health Standards, Standard 7-4.4, recommends that an
5 evaluation of the defendant's mental condition at the time of
6 the alleged offense and penal responsibility should not be
7 combined in any evaluation to determine fitness to stand trial
8 unless the defense requests it or unless good cause is shown.

9 This Act also provides for a process for the reevaluation
10 of a defendant who had been found unfit to proceed but has
11 participated in fitness restoration services either at Hawaii
12 state hospital or in the community. The procedure established
13 by this Act requires a new evaluation by a three-member panel
14 for defendants who have been charged with murder in the first
15 and second degrees, attempted murder in the first and second
16 degrees, and class A felonies, and allow an evaluation by one
17 examiner for all other cases. Along with not requiring a
18 combined evaluation of penal responsibility, this should speed
19 up the process of obtaining these evaluations.

20 The purpose of this Act is to ensure the timely and
21 relevant administration of mental health examinations to support



1 the process of expedient administration of justice and due
2 process for defendants who may have mental health issues.

3 SECTION 2. Chapter 704, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§704- Examination of defendant with respect to
7 physical or mental disease, disorder, or defect excluding penal
8 responsibility. (1) Whenever the defendant has filed a notice
9 of intention to rely on the defense of physical or mental
10 disease, disorder, or defect excluding responsibility or there
11 is reason to believe that the physical or mental disease,
12 disorder, or defect of the defendant will or has become an issue
13 in the case, the court may order an examination as to the
14 defendant's physical or mental condition at the time of the
15 conduct. All proceedings in the prosecution shall be suspended
16 pending the completion of the examination as to the defendant's
17 physical or mental condition at the time of the conduct.

18 (2) The court shall appoint three qualified examiners in
19 felony cases and one qualified examiner in nonfelony cases to
20 conduct an examination for penal responsibility and report on
21 the physical or mental condition of the defendant at the time of



1 the conduct. In felony cases the court shall appoint at least
2 one psychiatrist and at least one licensed psychologist. The
3 third member may be a psychiatrist, licensed psychologist, or
4 qualified physician. One of the three shall be a psychiatrist
5 or licensed psychologist designated by the director of health
6 from within the department of health. In nonfelony cases the
7 court may appoint either a psychiatrist or a licensed
8 psychologist. All examiners shall be appointed from a list of
9 certified examiners as determined by the department of health.
10 The court, in appropriate circumstances, may appoint an
11 additional examiner or examiners. The court may direct that one
12 or more qualified physicians or psychologists retained by the
13 defendant be permitted to witness the examination. As used in
14 this section, the term "licensed psychologist" includes
15 psychologists exempted from licensure by section 465-3(a)(3).

16 (3) An examination performed under this section may employ
17 any method that is accepted by the professions of medicine or
18 psychology for the examination of those alleged to be affected
19 by a physical or mental disease, disorder, or defect; provided
20 that each examiner shall form and render diagnoses and opinions
21 upon the physical and mental condition of the defendant



1 independently from the other examiners and the examiners, upon
2 approval of the court, may secure the services of clinical
3 psychologists and other medical or paramedical specialists to
4 assist in the examination and diagnosis.

5 (4) The examinations for fitness to proceed under section
6 704-404, and penal responsibility shall be conducted separately
7 unless a combined examination has been ordered by the court upon
8 a request by the defendant or upon a showing of good cause to
9 combine the examinations. If separate, the examination for
10 penal responsibility shall be ordered not longer than thirty
11 days after a finding of fitness to proceed. The report of the
12 examination for fitness to proceed shall be separate from the
13 report of the examination for penal responsibility.

14 (5) The report of the examination for penal responsibility
15 shall include the following:

- 16 (a) A description of the nature of the examination;
17 (b) A diagnosis of the physical or mental condition of the
18 defendant;
19 (c) An opinion as to the extent, if any, to which the
20 capacity of the defendant to appreciate the
21 wrongfulness of the defendant's conduct or to conform



1 the defendant's conduct to the requirements of law was
2 impaired at the time of the conduct alleged;
3 (d) When directed by the court, an opinion as to the
4 capacity of the defendant to have a particular state
5 of mind that is required to establish an element of
6 the offense charged; and
7 (e) Where more than one examiner is appointed, a statement
8 that the diagnosis and opinion rendered were arrived
9 at independently of any other examiner, unless there
10 is a showing to the court of a clear need for
11 communication between or among the examiners for
12 clarification. A description of the communication
13 shall be included in the report. After all reports
14 are submitted to the court, examiners may confer
15 without restriction.
16 (6) If the examination cannot be conducted by reason of
17 the unwillingness of the defendant to participate therein, the
18 report shall so state and shall include, if possible, an opinion
19 as to whether the unwillingness of the defendant was the result
20 of physical or mental disease, disorder, or defect.



1 (7) Three copies of the report of the examination,
2 including any supporting documents, shall be filed with the
3 clerk of the court, who shall cause copies to be delivered to
4 the prosecuting attorney and to counsel for the defendant.

5 (8) Any examiner shall be permitted to make a separate
6 explanation reasonably serving to clarify the examiner's
7 diagnosis or opinion.

8 (9) The court shall obtain all existing medical, mental
9 health, social, police, and juvenile records, including those
10 expunged, and other pertinent records in the custody of public
11 agencies, notwithstanding any other statute, and make the
12 records available for inspection by the examiners in hard copy
13 or digital format. The court may order that the records so
14 obtained be made available to the prosecuting attorney and
15 counsel for the defendant in either format, subject to
16 conditions the court determines appropriate. Records shall not
17 be re-disclosed except to the extent permitted by law.

18 (10) All public agencies in possession of medical, mental
19 health, social, and juvenile records, and any other pertinent
20 records of a defendant ordered to be examined under this



1 chapter, shall provide those records to the court,
2 notwithstanding any other state statute.

3 (11) The compensation of persons making or assisting in
4 the examination, other than those retained by the nonindigent
5 defendant, who are not undertaking the examination upon
6 designation by the director of health as part of their normal
7 duties as employees of the State or a county, shall be paid by
8 the State."

9 SECTION 3. Section 704-404, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "§704-404 Examination of defendant with respect to
12 physical or mental disease, disorder, or defect[-] excluding
13 fitness to proceed. (1) Whenever [~~the defendant has filed a~~
14 ~~notice of intention to rely on the defense of physical or mental~~
15 ~~disease, disorder, or defect excluding responsibility, or~~ there
16 is reason to doubt the defendant's fitness to proceed, [~~or~~
17 ~~reason to believe that the physical or mental disease, disorder,~~
18 ~~or defect of the defendant will or has become an issue in the~~
19 ~~ease,~~] the court may immediately suspend all further proceedings
20 in the prosecution. If a trial jury has been empanelled, it
21 shall be discharged or retained at the discretion of the court.



1 The discharge of the trial jury shall not be a bar to further
2 prosecution.

3 (2) Upon suspension of further proceedings in the
4 prosecution, the court shall appoint three qualified examiners
5 in felony cases and one qualified examiner in nonfelony cases to
6 ~~[examine and report upon the physical and mental condition of~~
7 ~~the defendant.]~~ conduct examinations for fitness to proceed and
8 report upon the defendant's fitness to proceed. In felony cases
9 the court shall appoint at least one psychiatrist and at least
10 one licensed psychologist. The third member may be a
11 psychiatrist, licensed psychologist, or qualified physician.
12 One of the three shall be a psychiatrist or licensed
13 psychologist designated by the director of health from within
14 the department of health. In nonfelony cases the court may
15 appoint either a psychiatrist or a licensed psychologist. All
16 examiners shall be appointed from a list of certified examiners
17 as determined by the department of health. The court, in
18 appropriate circumstances, may appoint an additional examiner or
19 examiners. The examination may be conducted on an out-patient
20 basis or, in the court's discretion, when necessary the court
21 may order the defendant to be committed to a hospital or other



1 suitable facility for the purpose of the examination for a
2 period not exceeding thirty days, or such longer period as the
3 court determines to be necessary for the purpose. The court may
4 direct that one or more qualified physicians or psychologists
5 retained by the defendant be permitted to witness the
6 examination. As used in this section, the term "licensed
7 psychologist" includes psychologists exempted from licensure by
8 section 465-3(a)(3).

9 (3) An examination performed under this section may employ
10 any method that is accepted by the professions of medicine or
11 psychology for the examination of those alleged to be affected
12 by a physical or mental disease, disorder, or defect; provided
13 that each examiner shall form and render [~~diagnoses and~~
14 ~~opinions~~] an opinion upon the [~~physical and mental condition of~~
15 ~~the defendant~~] defendant's fitness to proceed independently from
16 the other examiners, and the examiners, upon approval of the
17 court, may secure the services of clinical psychologists and
18 other medical or paramedical specialists to assist in the
19 examination and [~~diagnosis-~~] opinion.

20 (4) The examinations for penal responsibility under section
21 704- , and fitness to proceed shall be conducted separately



1 unless a combined examination has been ordered by the court upon
2 a request by the defendant or upon a showing of good cause to
3 combine the examinations. The report of the examination for
4 fitness to proceed shall be separate from the report of the
5 examination for penal responsibility.

6 ~~[(4)]~~ (5) The report of the examination for fitness to
7 proceed shall include the following:

- 8 (a) A description of the nature of the examination;
- 9 ~~[(b) A diagnosis of the physical or mental condition of the~~
10 ~~defendant;~~
- 11 ~~-(e)]~~ (b) An opinion as to the defendant's capacity to
12 understand the proceedings against the defendant and
13 to assist in the defendant's own defense;
- 14 ~~[(d) An opinion as to the extent, if any, to which the~~
15 ~~capacity of the defendant to appreciate the~~
16 ~~wrongfulness of the defendant's conduct or to conform~~
17 ~~the defendant's conduct to the requirements of law was~~
18 ~~impaired at the time of the conduct alleged;~~
- 19 ~~-(e) When directed by the court, an opinion as to the~~
20 ~~capacity of the defendant to have a particular state~~



1 ~~of mind that is required to establish an element of~~
2 ~~the offense charged; and]~~

3 (c) An assessment of the risk of danger to the defendant
4 or to the person or property of others for
5 consideration and determination of the defendant's
6 release on conditions; and

7 ~~[-(f)]~~ (d) Where more than one examiner is appointed, a
8 statement that the ~~[diagnosis and]~~ opinion rendered
9 ~~[were]~~ was arrived at independently of any other
10 examiner, unless there is a showing to the court of a
11 clear need for communication between or among the
12 examiners for clarification. A description of the
13 communication shall be included in the report. After
14 all reports are submitted to the court, examiners may
15 confer without restriction.

16 ~~[-(5)]~~ (6) If the examination cannot be conducted by reason
17 of the unwillingness of the defendant to participate therein,
18 the report shall so state and shall include, if possible, an
19 opinion as to whether such unwillingness of the defendant was
20 the result of physical or mental disease, disorder, or defect.



1 ~~[-6-]~~ (7) Three copies of the report of the examination,
2 including any supporting documents, shall be filed with the
3 clerk of the court, who shall cause copies to be delivered to
4 the prosecuting attorney and to counsel for the defendant.

5 ~~[-7-]~~ (8) Any examiner shall be permitted to make a
6 separate explanation reasonably serving to clarify the
7 examiner's ~~[diagnosis or]~~ opinion.

8 ~~[-8-]~~ (9) The court shall obtain all existing medical,
9 mental health, social, police, and juvenile records, including
10 those expunged, and other pertinent records in the custody of
11 public agencies, notwithstanding any other ~~[statutes,]~~ statute,
12 and make ~~[such]~~ the records available for inspection by the
13 examiners~~[-]~~ in hard copy or digital format. The court may
14 order that the records so obtained be made available to the
15 prosecuting attorney and counsel for the defendant in either
16 format, subject to conditions the court deems appropriate. If,
17 pursuant to this section, the court orders the defendant
18 committed to a hospital or other suitable facility under the
19 control of the director of health, then the county police
20 departments shall provide to the director of health and the
21 defendant copies of all police reports from cases filed against



1 the defendant which have been adjudicated by the acceptance of a
 2 plea of guilty or no contest, a finding of guilt, acquittal,
 3 acquittal pursuant to section 704-400, or by the entry of plea
 4 of guilty or no contest made pursuant to chapter 853, so long as
 5 the disclosure to the director of health and the defendant does
 6 not frustrate a legitimate function of the county police
 7 departments, with the exception of expunged records, records of
 8 or pertaining to any adjudication or disposition rendered in the
 9 case of a juvenile, or records containing data from the United
 10 States National Crime Information Center. The county police
 11 departments shall segregate or sanitize from the police reports
 12 information that would result in the likelihood or actual
 13 identification of individuals who furnished information in
 14 connection with its investigation, or who were of investigatory
 15 interest. Records shall not be re-disclosed except to the
 16 extent permitted by law.

17 [~~9~~] (10) All public agencies in possession of medical,
 18 mental health, social, and juvenile records, and any other
 19 pertinent records of a defendant ordered to be examined under
 20 this chapter, shall provide those records to the court,
 21 notwithstanding any other state statute.



1 [~~10~~] (11) The compensation of persons making or assisting
 2 in the examination, other than those retained by the nonindigent
 3 defendant, who are not undertaking the examination upon
 4 designation by the director of health as part of their normal
 5 duties as employees of the State or a county, shall be paid by
 6 the State."

7 SECTION 4. Section 704-406, Hawaii Revised Statutes, is
 8 amended to read as follows:

9 "§704-406 Effect of finding of unfitness to proceed. (1)
 10 If the court determines that the defendant lacks fitness to
 11 proceed, the proceeding against the defendant shall be
 12 suspended, except as provided in section 704-407, and the court
 13 shall commit the defendant to the custody of the director of
 14 health to be placed in an appropriate institution for detention,
 15 care, and treatment; provided that the commitment shall be
 16 limited in certain cases as follows:

17 (a) When the defendant is charged with a petty misdemeanor
 18 not involving violence or attempted violence, the
 19 commitment shall be limited to no longer than sixty
 20 days from the date the court determines the defendant
 21 lacks fitness to proceed; and



1 (b) When the defendant is charged with a misdemeanor not
2 involving violence or attempted violence, the
3 commitment shall be limited to no longer than one
4 hundred twenty days from the date the court determines
5 the defendant lacks fitness to proceed.

6 If the court is satisfied that the defendant may be released on
7 conditions without risk of substantial danger to the defendant
8 or to the person or property of others, the court shall order
9 the defendant's release, which shall continue at the discretion
10 of the court, on conditions the court determines necessary;
11 provided that the release on conditions of a defendant charged
12 with a petty misdemeanor not involving violence or attempted
13 violence shall continue for no longer than sixty days, and the
14 release on conditions of a defendant charged with a misdemeanor
15 not involving violence or attempted violence shall continue for
16 no longer than one hundred twenty days. A copy of the report
17 filed pursuant to section 704-404 shall be attached to the order
18 of commitment or order of release on conditions. When the
19 defendant is committed to the custody of the director of health
20 for detention, care, and treatment, the county police
21 departments shall provide to the director of health and the



1 defendant copies of all police reports from cases filed against
2 the defendant that have been adjudicated by the acceptance of a
3 plea of guilty or nolo contendere, a finding of guilt,
4 acquittal, acquittal pursuant to section 704-400, or by the
5 entry of a plea of guilty or nolo contendere made pursuant to
6 chapter 853, so long as the disclosure to the director of health
7 and the defendant does not frustrate a legitimate function of
8 the county police departments; provided that expunged records,
9 records of or pertaining to any adjudication or disposition
10 rendered in the case of a juvenile, or records containing data
11 from the United States National Crime Information Center shall
12 not be provided. The county police departments shall segregate
13 or sanitize from the police reports information that would
14 result in the [+]likely[+] or actual identification of
15 individuals who furnished information in connection with the
16 investigation or who were of investigatory interest. Records
17 shall not be re-disclosed except to the extent permitted by law.

18 (2) When the defendant is released on conditions after a
19 finding of unfitness to proceed, the department of health shall
20 establish and monitor a fitness restoration program consistent
21 with conditions set by the court order of release, and shall



1 inform the prosecuting attorney of the county that charged the
2 defendant of the program and report the defendant's compliance
3 therewith.

4 [+] (3) [+] When the court, on its own motion or upon the
5 application of the director of health, the prosecuting attorney,
6 or the defendant [~~, determines, after a hearing if a hearing is~~
7 ~~requested,~~] has reason to believe that the defendant has
8 regained fitness to proceed, [~~the penal proceeding shall be~~
9 ~~resumed.~~] the court shall appoint three qualified examiners in
10 cases in which the defendant has been charged with murder in the
11 first or second degree, attempted murder in the first or second
12 degree, or a class A felony and may appoint one qualified
13 examiner in all other cases to examine and report upon the
14 physical and mental condition of the defendant. In cases in
15 which the defendant has been charged with murder in the first or
16 second degree, attempted murder in the first or second degree,
17 or a class A felony, the court shall appoint at least one
18 psychiatrist and at least one licensed psychologist. The third
19 member may be a psychiatrist, licensed psychologist, or
20 qualified physician. One of the three shall be a psychiatrist
21 or licensed psychologist designated by the director of health



1 from within the department of health. In all other cases, the
2 one qualified examiner shall be a psychiatrist or licensed
3 psychologist designated by the director of health from within
4 the department of health. All examiners shall be appointed from
5 a list of certified examiners as determined by the department of
6 health. After a hearing, if a hearing is requested, if the
7 court determines that the defendant has regained fitness to
8 proceed, the penal proceeding shall be resumed and the defendant
9 shall no longer be committed to the custody of the director of
10 health. In cases in which the defendant has been charged with
11 murder in the first or second degree, attempted murder in the
12 first or second degree, or a class A felony, upon the request of
13 the prosecuting attorney, or the defendant, and in consideration
14 of information provided by the defendant's clinical team, the
15 court may order that the defendant remain in the custody of the
16 director of health for good cause shown, subject to bail or
17 until a judgment on the verdict or a finding of guilt after a
18 plea of guilty or nolo contendere is entered. Thereafter, the
19 court may consider a request from the department of health to
20 rescind its order maintaining the defendant in the director's
21 custody, for good cause shown.



1 If, however, the court is of the view that so much time has
2 elapsed since the commitment or release on conditions of the
3 defendant that it would be unjust to resume the proceeding, the
4 court may dismiss the charge and:

- 5 (a) Order the defendant to be discharged;
- 6 (b) Subject to the law governing the involuntary civil
7 commitment of persons affected by physical or mental
8 disease, disorder, or defect, order the defendant to
9 be committed to the custody of the director of health
10 to be placed in an appropriate institution for
11 detention, care, and treatment; or
- 12 (c) Subject to the law governing involuntary outpatient
13 treatment, order the defendant to be released on
14 conditions the court determines necessary.

15 (4) An examination for fitness to proceed performed under
16 this section may employ any method that is accepted by the
17 professions of medicine or psychology for the examination of
18 those alleged to be affected by a physical or mental disease,
19 disorder, or defect, and shall include a review of records of
20 any institution where the defendant, while under the custody of
21 the director of health, was placed; provided that the examiner,



1 upon approval of the court, may secure the services of clinical
2 psychologists and other medical or paramedical specialists to
3 assist in the examination.

4 (5) The report of the examination for fitness to proceed
5 shall include the following:

6 (a) A description of the nature of the examination;

7 (b) An opinion as to the defendant's capacity to
8 understand the proceedings against the defendant and
9 to assist in the defendant's own defense; and

10 (c) Where more than one examiner is appointed, a statement
11 that the opinion rendered was arrived at independently
12 of any other examiner, unless there is a showing to
13 the court of a clear need for communication between or
14 among the examiners for clarification. A description
15 of the communication shall be included in the report.

16 After all reports are submitted to the court,
17 examiners may confer without restriction.

18 (6) All other procedures as set out in sections 704-404(6)
19 through 704-404(11) shall be followed for the completion of the
20 report of the examination for fitness to proceed performed under
21 this section.



1 ~~[(4)]~~ (7) If a defendant committed to the custody of the
2 director of health for a limited period pursuant to subsection
3 (1) is not found fit to proceed prior to the expiration of the
4 commitment, the charge for which the defendant was committed for
5 a limited period shall be dismissed. Upon dismissal of the
6 charge, the defendant shall be released from custody unless the
7 defendant is subject to prosecution for other charges, in which
8 case, unless the defendant is subject to the law governing
9 involuntary civil commitment, the court shall order the
10 defendant's commitment to the custody of the director of health
11 to be placed in an appropriate institution for detention, care,
12 and treatment. Within a reasonable time following any other
13 commitment under subsection (1), the director of health shall
14 report to the court on whether the defendant presents a
15 substantial likelihood of becoming fit to proceed in the future.
16 The court, in addition, may appoint a panel of three qualified
17 examiners in felony cases or one qualified examiner in nonfelony
18 cases to make a report. If, following a report, the court
19 determines that the defendant probably will remain unfit to
20 proceed, the court may dismiss the charge and:

21 (a) Release the defendant; or



1 (b) Subject to the law governing involuntary civil
2 commitment, order the defendant to be committed to the
3 custody of the director of health to be placed in an
4 appropriate institution for detention, care, and
5 treatment.

6 [~~(5)~~] (8) If a defendant released on conditions for a
7 limited period pursuant to subsection (1) is not found fit to
8 proceed prior to the expiration of the release on conditions
9 order, the charge for which the defendant was released on
10 conditions for a limited period shall be dismissed. Upon
11 dismissal of the charge, the defendant shall be discharged from
12 the release on conditions unless the defendant is subject to
13 prosecution for other charges or subject to the law governing
14 involuntary civil commitment, in which case the court shall
15 order the defendant's commitment to the custody of the director
16 of health to be placed in an appropriate institution for
17 detention, care, and treatment. Within a reasonable time
18 following any other release on conditions under subsection (1),
19 the court shall appoint a panel of three qualified examiners in
20 felony cases or one qualified examiner in nonfelony cases to
21 report to the court on whether the defendant presents a



1 substantial likelihood of becoming fit to proceed in the future.
2 If, following the report, the court determines that the
3 defendant probably will remain unfit to proceed, the court may
4 dismiss the charge and:

- 5 (a) Release the defendant; or
- 6 (b) Subject to the law governing involuntary civil
7 commitment, order the defendant to be committed to the
8 custody of the director of health to be placed in an
9 appropriate institution for detention, care, and
10 treatment."

11 SECTION 5. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 6. This Act shall take effect on July 1, 2070.



Report Title:

Forensic Mental Health; Procedures

Description:

Ensures the timely administration of mental health examinations; supports the process of expedient administration of justice; and clarifies the procedure for reevaluation of fitness to proceed after a finding of unfitness and attempts at restoration.

(HB2359 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

