



State of Tennessee

PUBLIC CHAPTER NO. 504

HOUSE BILL NO. 1498

**By Representatives Lamberth, Gant, Terry, Helton, Dixie, Smith, Hardaway, Rudd, Shaw,
Kumar, Littleton, Ragan, Daniel**

Substituted for: Senate Bill No. 1340

By Senator White

AN ACT to amend Tennessee Code Annotated, Title 33; Title 40 and Title 41, relative to mental health commitments.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 41-21-223 is amended by deleting the section and substituting the following:

If the commissioner of correction determines from an examination that a person who is in the custody of the department of correction has a mental illness or serious emotional disturbance and because of the mental illness or serious emotional disturbance poses a substantial likelihood of serious harm, as defined in § 33-6-501, then the commissioner shall, no less than thirty (30) days before the person's scheduled release from a correctional facility, file a complaint with the clerk of the court that has jurisdiction under § 33-3-603 for the judicial commitment of the person to a hospital or treatment resource pursuant to title 33, chapter 6, part 5. The clerk shall serve to the person a copy of the complaint pursuant to § 33-3-605, and shall send a copy of the complaint to the district attorney general with jurisdiction in that district. A complaint filed under this section stays the release of the person pending completion of a hearing pursuant to title 33, chapter 3, part 6.

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it.

