

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 972*
Second Edition Engrossed 4/22/99

Short Title: Transp. Costs/Invol. Commitment.

(Public)

Sponsors: Representatives Insko and Hackney.

Referred to: Mental Health.

April 12, 1999

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE COST AND EXPENSES OF TRANSPORTING A
RESPONDENT IN AN INVOLUNTARY COMMITMENT PROCEEDING MAY
BE RECOVERED FROM THE RESPONDENT'S COUNTY OF RESIDENCE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 122C-251(h) reads as rewritten:

"(h) The cost and expenses of transporting a respondent to or from a 24-hour facility is the responsibility of the county of residence of the respondent. The State (when providing transportation under G.S. 122C-408(b)), a city, or a county is entitled to recover the reasonable cost of transportation from ~~either (i) the respondent or some other individual liable for his support and maintenance, if there is property sufficient to pay the cost; or (ii) the county of residence of an indigent respondent.~~ the county of residence of the respondent. The county of residence of the respondent shall reimburse the State, another county, or a city the reasonable transportation costs incurred as authorized by this subsection. The county of residence of the respondent is entitled to recover the reasonable cost of transportation it has paid to the State, a city, or a county. The county of residence of the respondent may recover that cost from:

(1) The respondent, if the respondent is not indigent;

- 1 (2) Any person or entity that is legally liable for the resident's
2 support and maintenance provided there is sufficient property to
3 pay the cost;
4 (3) Any person or entity that is contractually responsible for the cost;
5 or
6 (4) Any person or entity that otherwise is liable under federal, State,
7 or local law for the cost."

8 Section 2. This act is effective when it becomes law.