**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-17-435 SO AS TO PROVIDE THAT CERTAIN MENTAL HEALTH COMMITMENT PROCEDURES DO NOT APPLY IF THE PERSON SOUGHT TO BE COMMITTED IS INCARCERATED OR DETAINED BY LAW ENFORCEMENT IN A JAIL OR OTHER HOLDING FACILITY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 5, Chapter 17, Title 44 of the 1976 Code is amended by adding:

“Section 44‑17‑435. The provisions of Sections 44‑17‑410 and 44‑17‑430 do not apply if a person is seeking immediate hospitalization of a person who is believed to be mentally ill and because of this condition is likely to cause serious harm to himself or others if the person sought to be hospitalized is incarcerated or has been detained by law enforcement and is being held in a jail, detention center, or other holding facility.”

SECTION 2. This act takes effect upon approval by the Governor.

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