

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2760 Session of 2022

INTRODUCED BY CRUZ, GUENST, HOHENSTEIN, MADDEN, KINSEY AND
SANCHEZ, AUGUST 9, 2022

REFERRED TO COMMITTEE ON JUDICIARY, AUGUST 9, 2022

AN ACT

1 Amending the act of July 9, 1976 (P.L.817, No.143), entitled "An
2 act relating to mental health procedures; providing for the
3 treatment and rights of mentally disabled persons, for
4 voluntary and involuntary examination and treatment and for
5 determinations affecting those charged with crime or under
6 sentence," in general provisions, further providing for
7 mental health review officer.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 109(d) of the act of July 9, 1976
11 (P.L.817, No.143), known as the Mental Health Procedures Act, is
12 amended to read:

13 Section 109. Mental Health Review Officer.--* * *

14 (d) Notwithstanding any statute to the contrary, judges of
15 the courts of common pleas, mental health review officers and
16 county mental health and [mental retardation] intellectual
17 disabilities administrators shall notify the Pennsylvania State
18 Police on a form developed by the Pennsylvania State Police of
19 the identity of any individual who has been adjudicated
20 incompetent or who has been involuntarily committed to a mental

1 institution for inpatient care and treatment under this act or
2 who has been involuntarily treated as described under 18 Pa.C.S.
3 § 6105(c)(4) (relating to persons not to possess, use,
4 manufacture, control, sell or transfer firearms). The
5 notification shall be transmitted by the judge, mental health
6 review officer or county mental health and [mental retardation
7 administrator within seven days of] intellectual disabilities
8 administrator between 72 and 96 hours after the adjudication,
9 commitment or treatment. Notwithstanding any statute to the
10 contrary, county mental health and [mental retardation]
11 intellectual disabilities administrators shall notify the
12 Pennsylvania State Police on a form developed by the
13 Pennsylvania State Police of the identity of any individual who
14 before the effective date of this act had been adjudicated
15 incompetent or had been involuntarily committed to a mental
16 institution for inpatient care treatment under this act or had
17 been involuntarily treated as described in 18 Pa.C.S. § 6105(c)
18 (4).

19 Section 2. This act shall take effect in 60 days.