

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out the title and substituting the following:

**'An Act To Amend the Laws Governing  
Involuntary Hospitalization Procedures'**

Amend the bill by inserting after the enacting clause and before section 1 the following:

**'Sec. 1. 15 MRSA §2211-A, sub-§3-A** is enacted to read:

**3-A. Authorization of hospitalization.** When a person who is hospitalized in a psychiatric hospital under the provisions of Title 34-B, chapter 3 is sentenced to serve a straight term of imprisonment or a split sentence in a county jail, the person must remain hospitalized as long as continued hospitalization is appropriate under Title 34-B, chapter 3. The sheriff shall promptly process the person to initiate execution of the sentence in a manner that disrupts the person's hospitalization as little as possible. The provisions of this section apply as if the person had been transferred to the hospital after beginning serving the sentence at the county jail.

**Sec. 2. 34-B MRSA §3861-A** is enacted to read:

**§ 3861-A. Notification of hospitalization**

When a person who is hospitalized in a psychiatric hospital under the provisions of this chapter is sentenced to serve a straight term of imprisonment or a split sentence in a county jail, the chief administrative officer of the hospital shall notify the sheriff of the county jail so that, in accordance with the provisions of Title 15, section 2211-A, the sheriff may process the person to serve the sentence while hospitalized and the person may remain in the hospital until ready for discharge.'

Amend the bill by inserting at the end before the summary the following:

**'Sec. 2. 34-B MRSA §3871, sub-§3-A** is enacted to read:

**3-A. Discharge limited.** A psychiatric hospital may not discharge a person committed under section 3864 solely because the person is placed in execution of a sentence in a county jail.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment clarifies the procedures for a person who is hospitalized in a psychiatric hospital who is sentenced to serve time in a county jail.