

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 750
SENATE BILL 475

AN ACT TO MAKE CERTAIN CHANGES IN THE INVOLUNTARY
COMMITMENT OF SUBSTANCE ABUSERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 122C-290(b) is rewritten to read:

"(b) If the respondent whose treatment is provided on an outpatient basis fails to comply with all or part of the prescribed treatment after reasonable effort to solicit the respondent's compliance, the area authority or physician may request the clerk or magistrate to order the respondent taken into custody for the purpose of examination. Upon receipt of this request, the clerk or magistrate shall issue an order to a law enforcement officer to take the respondent into custody and to take him immediately to the designated area authority or physician for examination. The law enforcement officer shall turn the respondent over to the custody of the physician or area authority who shall conduct the examination and release the respondent or have the respondent taken to a 24-hour facility upon a determination that treatment in the facility will benefit the respondent. Transportation to the 24-hour facility shall be provided as specified in G.S. 122C-251, upon notice to the clerk or magistrate that transportation is necessary, or as provided in G.S. 122C-408(b). If placement in a 24-hour facility is to exceed 45 consecutive days, the area authority or physician shall notify the clerk of court by the 30th day and request a supplemental hearing as specified in G.S. 122C-291."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 7th day of August, 1987.