

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 19-0305.01 Jerry Barry x4341

**HOUSE BILL 19-1169**

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**HOUSE SPONSORSHIP**

**Arndt,**

**SENATE SPONSORSHIP**

**Cooke,**

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**House Committees**

Public Health Care & Human Services

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE AUTHORITY TO HOLD A PERSON IN A MENTAL**  
102            **HEALTH CRISIS THROUGH THE PROVISIONS OF THE MENTAL**  
103            **HEALTH INVOLUNTARY TRANSPORTATION HOLD UNTIL THE**  
104            **INITIAL EVALUATION AT THE RECEIVING FACILITY IS**  
105            **COMPLETED.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Current law allows specified intervening professionals to transport to a treatment facility any person who appears to be in need of an

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

immediate evaluation for treatment of a mental health disorder to prevent physical or psychiatric harm to others or to himself or herself. The authority to involuntarily hold such a person in custody expires upon the delivery of the person to the facility. The bill adds language to clarify that the authority to hold the person remains in effect until the evaluation is completed and a determination is made concerning the need for continued emergency evaluation and treatment.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 27-65-105, **amend**  
3 (1)(a)(I.5) as follows:

4 **27-65-105. Emergency procedure.** (1) Emergency procedure  
5 may be invoked under one of the following conditions:

6 (a) (I.5) When any person appears to have a mental health disorder  
7 and, as a result of such mental health disorder, is in need of immediate  
8 evaluation for treatment in order to prevent physical or psychiatric harm  
9 to others or to himself or herself, then an intervening professional, as  
10 specified in subsection (1)(a)(II) of this section, upon probable cause and  
11 with such assistance as may be required, may immediately transport the  
12 person to an outpatient mental health facility or other clinically  
13 appropriate facility designated or approved by the executive director FOR  
14 AN IMMEDIATE EVALUATION FOR TREATMENT. If such a facility is not  
15 available, the person may be taken to an emergency medical services  
16 facility FOR AN IMMEDIATE EVALUATION FOR TREATMENT. THE  
17 AUTHORITY TO HOLD A PERSON INVOLUNTARILY IN CUSTODY PURSUANT  
18 TO THE PROVISIONS OF THIS SUBSECTION (1)(a)(I.5) REMAINS IN EFFECT  
19 UNTIL THE REQUIRED EVALUATION FOR TREATMENT AT THE RECEIVING  
20 FACILITY IS COMPLETED AND A DETERMINATION IS MADE CONCERNING THE  
21 NEED FOR CONTINUED EMERGENCY TREATMENT AND EVALUATION  
22 PURSUANT TO THE PROVISIONS OF THIS SECTION.

1           **SECTION 2. Safety clause.** The general assembly hereby finds,  
2 determines, and declares that this act is necessary for the immediate  
3 preservation of the public peace, health, and safety.