

1 HB491
2 117466-1
3 By Representatives Harper, Thigpen, Guin, Boothe, Robinson
4 (O), Graham, England, Beasley, Martin, Gipson, Bentley,
5 Millican, Moore (M), Vance, Coleman, Black, Ford, Wren,
6 Spicer, Fields, Allen and Baker (A)
7 RFD: Government Appropriations
8 First Read: 04-FEB-10

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8 SYNOPSIS: Under existing law, the Department of
9 Mental Health, through its commissioner, is
10 authorized to act in any prudent way to provide
11 mental health services and mental retardation
12 services for the people of Alabama.

13 This bill would provide that those
14 institutions over which the Department of Mental
15 Health has control may not be leased, transferred,
16 or placed under the supervision or management of a
17 nongovernmental entity without first obtaining the
18 consent of the Legislature.

19
20 A BILL
21 TO BE ENTITLED
22 AN ACT
23

24 To amend Section 22-50-9 of the Code of Alabama
25 1975, relating to the Department of Mental Health; to provide
26 that those institutions over which the Department of Mental
27 Health has control may not be leased, transferred, or placed

1 under the supervision or management of a nongovernmental
2 entity without first obtaining the consent of the Legislature.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 22-50-9 of the Code of Alabama
5 1975, is amended to read as follows:

6 "§22-50-9.

7 The Department of Mental Health, ~~and Mental~~
8 ~~Retardation~~ through its commissioner, ~~is hereby~~ authorized to
9 act in any prudent way to provide mental health services and
10 mental retardation services for the people of Alabama. An
11 institution over which the department exercises control may
12 not be leased, transferred, or placed under the supervision or
13 management of any nongovernmental entity without first
14 obtaining the consent of the Legislature through the passage
15 of legislation by a three-fifths vote of the membership of
16 each house."

17 Section 2. This act shall become effective
18 immediately following its passage and approval by the
19 Governor, or its otherwise becoming law.