STATEMENT OF PURPOSE

RS28244 / S1037

This is one of a series of bills the Supreme Court has recommended in its annual report to the Governor concerning defects or omissions in the laws, as required by article V, section 25 of the Idaho Constitution. The statute setting forth the procedure for the commitment of mentally ill persons (I.C. § 66-329) limits continuances of hearings in these cases to no more than five (5) days. In order to reduce confusion to those affected by procedural time frames, the courts strive to establish time periods computed only on seven (7) day increments. Thus, in order to bring proceedings regarding the commitment of the mentally ill in line with the courts' efforts to reduce confusion, the five (5) day limit on continuances in I.C. § 66-329(6) should be changed to seven (7) days.

FISCAL NOTE

This proposed amendment will have no fiscal impact upon the General Fund or any other state fund. Pursuant to this amendment, the county could incur additional costs for the sixth and seventh days of the patient's care if a hearing is continued beyond the current five (5) day limit. Since the cost of such care varies, and since it is unknown how many continuances might extend to six (6) or seven (7) days, it is impossible to accurately estimate the potential additional expense to the counties. However, since the proposed amendment only seeks to modify a procedural deadline by two (2) days in a specific type of judicial proceeding, it is projected this proposed amendment will cause neither an increase nor decrease in existing or future appropriations or revenues of the State.

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).