

FORTY- SEVENTH LEGISLATURE
FIRST SESSION, 2005

HB 66/a

March 14, 2005

Madam President:

Your JUDICIARY COMMITTEE, to whom has been referred

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 66

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows:

1. On page 1, line 12, strike "AND COMMITMENT".
2. On page 3, between lines 7 and 8, insert the following new subsection:

"E. "detention center" means a city, county or other jail, the administration of which agrees to accept intoxicated persons for protective custody; provided, however, that a detention center is authorized to hold a person in protective custody pursuant to Section 43-2-8 NMSA 1978 but is not otherwise subject to the provisions of the Detoxification Reform Act;".

3. Reletter the succeeding subsections accordingly.
4. On page 4, line 12, strike "voluntary or".
5. On page 4, line 13, strike "involuntary".
6. On page 6, line 8, after the semicolon, insert "or".
7. On page 6, lines 9 and 10, strike Paragraph (3) in its entirety.
8. Renumber the succeeding paragraph accordingly.
9. On page 6, line 22, strike "a continuum of".

FORTY- SEVENTH LEGI SLATURE
FIRST SESSI ON, 2005

SJC/HB 66

Page 2

10. On page 7, line 3, after "DEPARTMENT.--", insert a new subsection designation "A. ".

11. On page 7, line 21, after the closing bracket, insert a new subsection designation "B. ".

12. On page 7, line 22, after "rules", strike the remainder of the line, strike line 23 in its entirety and strike line 24 through "facility" and insert in lieu thereof "for treatment facilities concerning physical conditions for protective custody commitments pursuant to Section 43-2-8 NMSA 1978".

13. On page 8, line 6, after the period, insert the ending quotation mark and strike the remainder of the line and strike lines 7 through 25 in their entirety.

14. On page 13, lines 3 through 10, strike Subsection H in its entirety.

15. On page 13, lines 19 through 23, strike Subsection J in its entirety.

16. Reletter the succeeding subsection accordingly.

17. On page 13, line 16, after the period, insert:

"The administration of the treatment facility shall arrange translation of the application and explanation of rights for those who are unable to read the same, including the right to apply for a writ of habeas corpus. ".

18. On page 13, line 24 through page 21, line 11, strike Sections 6 and 7 in their entirety.

19. Renumber the succeeding sections accordingly.

FORTY- SEVENTH LEGI SLATURE
FIRST SESSI ON, 2005

SJC/HB 66

Page 3

20. On page 22, line 13, strike "resident of the state" and insert in lieu thereof "client".

21. On page 22, line 17, strike "resident's" and insert in lieu thereof "client's".

22. On page 22, line 17, strike "as a citizen of the state".

23. On page 22, line 18, strike "resident" and insert in lieu thereof "client".

24. On page 22, line 19, strike "resident" and insert in lieu thereof "client".

25. On page 22, line 20, strike "resident" and insert in lieu thereof "client".

26. On page 22, line 21, strike "client" and insert in lieu thereof "commitment".

27. On page 22, line 24, after "client", insert "volunteering for commitment".

28. On page 23, line 8, strike "jail" and insert in lieu thereof "detention center".

29. On page 24, line 18, after "Sections", insert "43-2-9, 43-2-10, ".

30. On page 24, line 19, after "being", insert "Laws 1977, Chapter 374, Section 6, Laws 1949, Chapter 114, Section 8 and".

FORTY- SEVENTH LEGI SLATURE
FIRST SESSI ON, 2005

SJC/HB 66

Page 4

Respectfully submitted,

Cisco McSorley, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

No: 0

Excused: Lopez, Martinez, Sanchez, M

Absent: None

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