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**SB-717 County mental health services.** (2023-2024)

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**Senate Bill No. 717**

**CHAPTER 883**

An act to add Section 5623.6 to the Welfare and Institutions Code, relating to mental health services.

[ Approved by Governor October 13, 2023. Filed with Secretary of State October 13, 2023. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 717, Stern. County mental health services.

Existing law prohibits a person from being tried or adjudged to punishment while that person is mentally incompetent. If a defendant who has been charged with a misdemeanor has been determined to be mentally incompetent, existing law authorizes the court to either grant diversion for a period of one year, refer the defendant to treatment, or dismiss the charge.

Existing law, the Bronzan-McCorquodale Act, governs the organization and financing of community mental health services for persons with mental disorders in every county through locally administered and locally controlled community mental health programs.

This bill would require the court to notify an individual of their ongoing need for mental health services if the individual has been found incompetent to stand trial and is not receiving court directed services. The bill would require the court to provide the individual with specified information, including the name, address, and telephone number of the county behavioral health department.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 5623.6 is added to the Welfare and Institutions Code, to read:

**5623.6.** (a) Individuals who have been found incompetent to stand trial and whose charges have been dismissed by the court pursuant to paragraph (2) of subdivision (b) of Section 1370.01 of the Penal Code and who are not receiving court directed services pursuant to subdivision (b) of Section 1370.01 of the Penal Code, represent a vulnerable population who would benefit from on-going mental health services. It is the intent of the Legislature that this population shall be a top priority for connection with behavioral health services upon release.

(b) An individual who has a misdemeanor charge or charges that are dismissed by the court, who is found incompetent to stand trial, and who is not receiving court directed services pursuant to subdivision (b) of Section 1370.01 of the Penal Code, shall be notified by the court of their need for mental health services, as evidenced by having been found incompetent to stand trial. The court shall additionally provide the individual with information that, at a minimum, consists of the name, address, and telephone number of the county behavioral health department, the name and contact information of the behavioral health professional that

was providing services to them while incarcerated, if any, contact information for the Medi-Cal program, and a list of available community-based organizations where the individual could obtain mental health services.