

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to require the Secretary of Health and Human Resources, together with the Secretary of Public*  
3 *Safety and Homeland Security, to study options to increase the use of alternative custody*  
4 *arrangements for individuals who are subject to an emergency custody or temporary detention order;*  
5 *report.*

6 [S 202]

7 Approved

8 **Be it enacted by the General Assembly of Virginia:**

9 1. § 1. That the Secretary of Health and Human Resources (the Secretary) shall, together with the  
10 Secretary of Public Safety and Homeland Security, study options to increase the use of alternative  
11 custody arrangements for individuals who are subject to an emergency custody or temporary detention  
12 order to reduce the time law-enforcement officers are required to maintain custody of such individuals  
13 and mitigate the burden the requirement for law enforcement custody places on local law-enforcement  
14 officers and local law-enforcement agencies. In conducting such study, the Secretary shall review overall  
15 best practices for alternative custody arrangements implemented in other states and develop  
16 recommendations for options to (i) allow law-enforcement officers to transfer custody of individuals who  
17 are subject to an emergency custody or temporary detention order to another person with the necessary  
18 training and certification to maintain custody of such individual in order to reduce the time  
19 law-enforcement officers must remain with the person who is the subject of the emergency custody or  
20 temporary detention order and (ii) increase the availability of beds for individuals who are subject to an  
21 emergency custody or temporary detention order to ensure prompt transfer to an appropriate facility,  
22 including expansion of crisis intervention team assessment centers and development of regional crisis  
23 receiving centers and other options for increasing the availability of beds at state and private hospitals  
24 and other behavioral health facilities for adults and children who are subject to an emergency custody  
25 or temporary detention order. In conducting such study, the Secretary shall include opportunity for  
26 participation by stakeholders, including the Behavioral Health Commission, Virginia State Police,  
27 Virginia Sheriffs' Association, Police Benevolent Association, Virginia Association of Community  
28 Services Boards, Virginia Hospital and Healthcare Association, Office of the Executive Secretary of the  
29 Supreme Court of Virginia, and other stakeholders. The Secretary shall report his findings and  
30 recommendations to the Governor and the Chairmen of the House Committees on Appropriations and  
31 Health, Welfare and Institutions and the Senate Committees on Education and Health and Finance and  
32 Appropriations by October 1, 2022.

ENROLLED

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