

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DECLARING SUPPORT FOR SENATE BILL, SB 464, AND ITS COMPANION, HOUSE BILL, HB 293, WHICH SEEK TO ADOPT SIGNIFICANT IMPROVEMENTS TO THE FLORIDA MENTAL HEALTH ACT OF 1971 (THE "BAKER ACT"), AND URGING THE FLORIDA LEGISLATURE TO PASS THESE BILLS DURING THE 2020 FLORIDA LEGISLATIVE SESSION, AS WELL AS ANY OTHER SIMILAR BILLS SEEKING TO IMPROVE MENTAL HEALTH SERVICES IN THE STATE OF FLORIDA.

WHEREAS, current existing legal tools for assessing and treating substance abuse and mental illnesses in Florida are the Hal S. Marchman Alcohol and Other Drug Services Act of 1993 (the "Marchman Act") and the Florida Mental Health Act of 1971, commonly known as the "Baker Act, and;

WHEREAS, the Marchman Act provides a means of involuntary and voluntary assessment and stabilization and treatment of a person allegedly abusing alcohol or drugs, while the Baker Act allows for involuntary commitment of a person if there is evidence that the person is possibly mentally ill and is in danger of becoming a harm to self, or harm to others; and

WHEREAS, Senate Bill 464 ("SB 464") and its companion, House Bill 293 ("HB 293") (together, the "Bills") were filed on October 4, 2019 for consideration during the 2020 Florida Legislative Session by Tom Wright (R-New Smyrna Beach) and Elizabeth Fetterhoff (R-DeLand), respectively; and

WHEREAS; the proposed Bills seek to modernize the Baker Act and bring it in line with the majority of states that permit medical intervention before tragedy is imminent; and

WHEREAS, changes included in the Bills will increase public safety and provide needed treatment, and would encourage local governments to apply for an existing grant to cover the mental-health treatment and training for law-enforcement officials; and

WHEREAS, the proposed Bills would require that anyone who is arrested to receive a mental health screening within 24 hours of incarceration; and

WHEREAS, should there be an indication of a mental disorder, a qualified professional would then complete further evaluations, and jail officials would then determine if mentally ill inmates should be transferred to a qualified crisis stabilization unit for either involuntary commitment or outpatient treatment; and

WHEREAS, the proposed changes to the Baker Act will streamline the judicial system, allowing the courts to run more efficiently and improve Florida's mental health system.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby declare support for Senate Bill 464, and its companion House Bill 293, which seek to adopt significant improvements to the Florida Mental Health Act of 1971 (the "Baker Act"), and urge the Florida Legislature to pass these bills during the 2020 Florida Legislative Session, as well as any other similar bills seeking to improve mental health services in the State of Florida.

PASSED AND ADOPTED this 30th day of October, 2019.

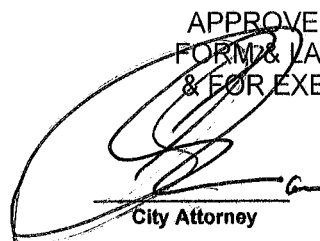
ATTEST:

Mayor Dan Gelber

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Ricky Arriola)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

10/25/19

Date

FAX