

Resolution #19-0518  
Resolution Book 1 Volume 1

**RESOLUTION APPROVING A FORSYTH COUNTY  
INVOLUNTARY COMMITMENT TRANSPORTATION AGREEMENT  
AS REQUIRED BY SESSION LAW 2018-33 (SB630)**

**WHEREAS**, Session Law 2018-33 (Senate Bill 630) entitled "An Act Revising the Laws Pertaining to Involuntary Commitment in Order to Improve the Delivery of Behavioral Health Services in North Carolina" was ratified in June 2018; and

**WHEREAS**, the NC Department of Health and Human Services recognizes that successful implementation of the legislation requires collaboration among all stakeholders; and

**WHEREAS**, under the new legislation, a local community crisis services plan must be developed and submitted to the North Carolina Division of Mental Health/Developmental Disabilities/Substance Abuse Services by October 1, 2019; and

**WHEREAS**, the local community crisis services plan referenced above must include a transportation agreement for the custody and transportation of respondents under involuntary commitment from one entity to another, which transportation agreement must be approved by the relevant governing bodies; and

**WHEREAS**, as to involuntary commitment transportation, the new legislation maintains the statutory requirements that: (i) a city has the duty to provide transportation of a respondent who is a resident of the city or who is physically taken into custody within the city limits; (ii) the county has the duty to provide transportation for a respondent who lives outside of city limits or who is physically taken into custody out of city limits; and (iii) transportation between counties shall be provided by the county where the respondent is taken into custody; and

**WHEREAS**, the new legislation provides that the transportation agreement may designate law enforcement officers, volunteers, or other public or private personnel to provide custody and transport for individuals undergoing involuntary commitment proceedings; and

**WHEREAS**, local law enforcement agencies, local acute care hospitals, local mental health providers, the Magistrate's Office and the Clerk of Court's Offices have participated in developing the required transportation agreement; and

**WHEREAS**, the proposed "Forsyth County Involuntary Commitment Transportation Agreement" outlines the transportation responsibilities of local law enforcement agencies, the use by local hospitals of other personnel for certain involuntary commitment transportation and the use of Daymark Recovery Center as a first examination site where possible.

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and City Council of the City of Winston-Salem hereby authorize the acceptance and execution, as required by North Carolina Session Law 2018-33 (Senate Bill 630), of a "Forsyth County Involuntary Commitment Transportation Agreement" by the appropriate City officials, upon approval as to form and legality by the City Attorney's Office.

Adopted this 16 day of September 2019.