

FEB 8 2006

JUDICIARY

HOUSE FILE 2225

BY McCARTHY

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to an involuntary commitment hearing for a
2 chronic substance abuser.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2225

1 Section 1. Section 125.82, subsection 1, Code 2005, is
2 amended to read as follows:

3 1. At a commitment hearing, evidence in support of the
4 contentions made in the application shall be presented by the
5 applicant, who may be assisted by the county attorney, or by
6 an attorney for the applicant, or by the county attorney if
7 the county attorney is the applicant. During the hearing the
8 applicant and the respondent shall be afforded an opportunity
9 to testify and to present and cross-examine witnesses, and the
10 court may receive the testimony of other interested persons.
11 If the respondent is present at the hearing, as provided in
12 subsection 3, and has been medicated within twelve hours, or a
13 longer period of time as the court may designate, prior to the
14 beginning of the hearing or a session of the hearing, the
15 court shall be informed of that fact and of the probable
16 effects of the medication upon convening of the hearing.

17 EXPLANATION

18 This bill relates to an involuntary commitment hearing for
19 a chronic substance abuser.

20 The bill provides that an applicant for the involuntary
21 commitment for treatment of a chronic substance abuser may be
22 assisted by the county attorney in presenting evidence in
23 support of an application for involuntary commitment or
24 treatment of a chronic substance abuser.

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