

Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

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ORIGINAL

Bill Number: HB309h1

Patron: Hope

Bill Title: Temporary detention in hospital for testing, observation, or treatment.

Bill Summary: The substitute legislation provides that while seeking the issuance of an order for temporary detention in a hospital for testing, observation, or treatment, or an extension of such order, the person who would be subject to such order and is currently subject to an order issued pursuant to current law shall remain at the facility where they are located for up to two hours, and any available security personnel shall, at the direction of the physician, take reasonable measures to ensure that such person does not leave the facility. The bill also provides that any licensed health professional, licensed hospital, or security personnel assisting a licensed health professional involved in the detention of a person pursuant to seeking such an order shall have no liability arising out a claim to the extent the claim is based on a lack of consent to the detention of a person when such professional or hospital is seeking the court's or magistrate's authorization such detention.

Budget Amendment Necessary: No

Items Impacted: None

Fiscal Summary: No fiscal impact.

Fiscal Analysis: This legislation clarifies that while an individual is in an emergency room pursuant to a petition of temporary order for medical reasons, security staff at the treating facility is responsible for taking reasonable measures to keep the individual in the facility for up to two hours. There is no expected fiscal impact to the state.