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

PUBLISHED: 3/2/2026 9:29 AM **ORIGINAL**

Bill Number: SB75ER **Patron:** Lucas
Bill Title: Retired law-enforcement officers; emergency and temporary detention admissions.

Bill Summary: Clarifies that the term "law-enforcement officer" as used in relevant law relating to emergency and involuntary civil transportation includes retired law-enforcement officers, defined in the bill, for the purposes of laws related to emergency custody and involuntary temporary detention. The bill also permits an alternative transportation provider to provide transportation of a person in the temporary detention process in a safe manner if the alternative transportation provider is (i) an employee of, or the person providing services pursuant to a contract with, the Department of Behavioral Health and Developmental Services or (ii) an employee of a private or state hospital within the confines of the Commonwealth.

The bill provides that, for purposes of transporting a minor during the temporary detention process, an alternative transportation provider is deemed available if it states it is available to take custody from law enforcement within six hours of issuance of the temporary detention order or an order changing the transportation provider. The bill also provides the alternative transportation provider shall maintain custody from the time custody is transferred by the primary law-enforcement agency until custody is transferred to the temporary detention facility, including while awaiting transport and during transport.

The bill also specifies when a law-enforcement agency or alternative transportation provider providing transportation of a minor in the temporary detention process may transfer custody of such minor to a facility or location where the minor is awaiting transport. When a bed becomes available at the temporary detention facility, the bill provides that facility or location shall notify the law-enforcement agency or alternative transportation provider specified on the order, which shall then return to transport the minor to the facility of temporary detention.

Budget Amendment Necessary: No **Items Impacted:** None
Explanation: Not applicable.

Fiscal Summary: There is no anticipated fiscal impact on state agencies as a result of this proposal.

Fiscal Analysis: This proposal clarifies that the term ''law-enforcement officer'' as used in relevant law relating to emergency and involuntary civil admissions. The Department of State Police does not anticipate a fiscal impact as a result of this proposal. Any impact on local law enforcement in indeterminate.

According to Department of Behavioral Health and Developmental Services (DBHDS) Chapter 725, 2025 Acts of Assembly includes $18.7 million in FY 2026 for the purpose of providing alternative transportation and custody

for those individuals who are under emergency custody or temporary detention orders. This funding is being used to provide services to two of the five regions (regions 1 and 3). Currently, the use of alternative transportation and custody is limited to situations where a provider is determined to be available, able, and willing to take custody of an individual, at the discretion of a magistrate. This legislation would define both "available" and "able" for the purposes of determining when a magistrate shall order alternative transportation and custody. Because funding for these services is limited by the appropriation act, it is not anticipated that additional funds will be necessary to carry out the terms of this legislation, however, the proposed changes may increase the use of an existing contract for alternative transportation and custody services funded at the DBHDS.

Other: None.