

Commitment for Evaluation and Treatment; Competency to Stand Trial; HB 2549

HB 2549 amends law related to the competency of a defendant to stand trial.

The bill allows a court in misdemeanor and felony cases to commit a defendant to the state security hospital or any appropriate state, county, or private institution or facility for a psychiatric or psychological examination and report to the court for determination of competency to stand trial. Additionally, if a defendant who is charged with a misdemeanor or felony is found incompetent to stand trial, the bill requires the court to commit the defendant for evaluation and treatment to any appropriate state, county, or private institution or facility.

The bill adds “facility” to the list of places where a defendant may be committed for evaluation and treatment.

[*Note:* Under prior law, a defendant charged with a felony could be committed only to a state security hospital or any county or private institution for examination and report to the court and, if found incompetent to stand trial, could be committed only to a state security hospital or any appropriate county or private institution for evaluation and treatment. Under prior law, a defendant charged with a misdemeanor could be committed only to any appropriate state, county, or private institution for examination and report and, if found incompetent to stand trial, could be admitted only to these same institutions for evaluation and treatment.]