

1 ENGROSSED HOUSE  
2 BILL NO. 4078

By: McCall of the House

3 and

4 Murdock of the Senate

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6  
7 An Act relating to mental health; amending 43A O.S.  
8 2011, Section 2-103, as last amended by Section 2,  
9 Chapter 4, O.S.L. 2019 (43A O.S. Supp. 2019, Section  
10 2-103), which relates to the Board of Mental Health  
11 and Substance Abuse Services; modifying status of the  
12 Commissioner of Mental Health and Substance Abuse  
13 Services; modifying members constituting a quorum;  
14 repealing 43A O.S. 2011, Section 2-201, which relates  
15 to the Commissioner of Mental Health and Substance  
16 Abuse Services; and providing an effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. AMENDATORY 43A O.S. 2011, Section 2-103, as  
19 last amended by Section 2, Chapter 4, O.S.L. 2019 (43A O.S. Supp.  
20 2019, Section 2-103), is amended to read as follows:

21 Section 2-103. A. The Board of Mental Health and Substance  
22 Abuse Services shall be composed of the following nine (9) members:

- 23 1. Five members appointed by the Governor;
- 24 2. Two members appointed by the Speaker of the House of  
Representatives; and
3. Two members appointed by the President Pro Tempore of the  
Senate.

1 B. 1. Each member shall serve at the pleasure of his or her  
2 appointing authority and may be removed or replaced without cause.

3 2. Any member of the Board shall be prohibited from voting on  
4 any issue in which the member has a direct financial interest.

5 ~~3. The Commissioner of Mental Health and Substance Abuse~~  
6 ~~Services shall be an ex officio member of the Board, but shall be~~  
7 ~~entitled to vote only in case of a tie vote.~~

8 C. The Board shall elect from among its members a chair and a  
9 vice-chair. The chair may call meetings at any time.

10 D. All regularly scheduled meetings of the Board shall be held  
11 at the Central Office of the Department of Mental Health and  
12 Substance Abuse Services, Oklahoma City, Oklahoma, unless otherwise  
13 scheduled. ~~Six~~ Five members shall constitute a quorum at any  
14 meeting, and all action may be taken by an affirmative vote of the  
15 majority of the members present at any such meeting.

16 E. The action taken by the Board on any matter, or any document  
17 passed by the Board, shall be considered official when such action  
18 is placed in writing and signed by the chair or vice-chair.

19 F. The duties of the Board shall pertain to the care,  
20 treatment, and hospitalization of persons with mental illness, or  
21 alcohol- or drug-dependent persons.

22 G. Members of the Board of Mental Health and Substance Abuse  
23 Services shall be allowed their necessary travel expenses pursuant  
24 to the provisions of the State Travel Reimbursement Act.

1       H. Members of the Board of Mental Health and Substance Abuse  
2 Services shall be allowed to serve on the State Board of Medical  
3 Licensure and Supervision and the State Board of Osteopathic  
4 Examiners during members' terms on the Board of Mental Health and  
5 Substance Abuse Services.

6       SECTION 2.       REPEALER       43A O.S. 2011, Section 2-201, is  
7 hereby repealed.

8       SECTION 3. This act shall become effective November 1, 2020.

9       Passed the House of Representatives the 9th day of March, 2020.

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Presiding Officer of the House  
of Representatives

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Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2020.

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Presiding Officer of the Senate

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