

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Jon Givner, Deputy City Attorney
Barbara A. Garcia, Director, Department of Public Health
George Gascón, District Attorney

FROM: John Carroll, Assistant Clerk,
Public Safety and Neighborhood Services Committee,
Board of Supervisors

DATE: February 21, 2018

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following proposed legislation, introduced by Supervisor Breed on February 13, 2018:

File No. 180156

Ordinance amending the Health Code to designate the City Attorney rather than the District Attorney to institute judicial proceedings under California Welfare and Institutions Code, Division 5 (Community Mental Health Services), as provided in Chapter 3, Conservatorship for Gravely Disabled Persons.

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Naveena Bobba, Department of Public Health
Sneha Patil, Department of Public Health
Cristine Soto DeBerry, Office of the District Attorney
Maxwell Szabo, Office of the City Attorney

1 [Health Code - City Attorney Instituting Mental Health Conservatorship Proceedings]

2
3 **Ordinance amending the Health Code to designate the City Attorney rather than the**
4 **District Attorney to institute judicial proceedings under California Welfare and**
5 **Institutions Code, Division 5 (Community Mental Health Services), as provided in**
6 **Chapter 3, Conservatorship for Gravely Disabled Persons.**

7 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
8 **Additions to Codes** are in *single-underline italics Times New Roman font*.
9 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
10 **Board amendment additions** are in double-underlined Arial font.
11 **Board amendment deletions** are in ~~Arial font~~.
12 **Asterisks (* * * *)** indicate the omission of unchanged Code
13 subsections or parts of tables.

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. The Health Code is hereby amended by adding Division III, "Judicial
16 Proceedings," Section 4121, to read as follows:

17 **DIVISION III: JUDICIAL PROCEEDINGS**

18 **SEC. 4121. DESIGNATION OF CITY ATTORNEY TO PRESENT ALLEGATIONS.**

19 *Pursuant to California Welfare and Institutions Code § 5114, the City Attorney is assigned the*
20 *duty of instituting judicial proceedings under Welfare & Institutions Code Division 5, to present*
21 *allegations that an individual is gravely disabled as a result of mental health disorder or impairment by*
22 *chronic alcoholism, as provided in Chapter 3, Conservatorship for Gravely Disabled Persons.*

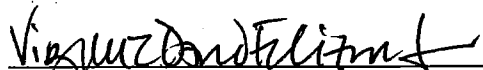
23 Section 2. Effective and Operative Dates.

24 (a) This ordinance shall become effective 30 days after enactment. Enactment occurs
25 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not

1 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the
2 Mayor's veto of the ordinance.

3 (b) This ordinance shall become operative on July 1, 2018.
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6 APPROVED AS TO FORM:
7 DENNIS J. HERRERA, City Attorney

8 By: 
9 Virginia Dario Elizondo
Deputy City Attorney

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Print Form

Introduction Form

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

By a Member of the Board of Supervisors or the Mayor

2010 FEB 13 PM 4:55

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

President London N. Breed

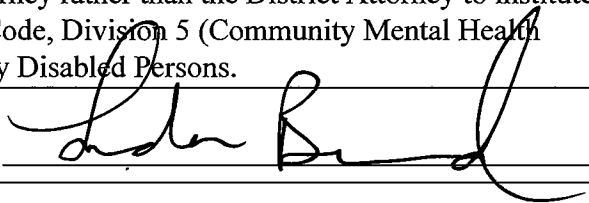
Subject:

Health Code - City Attorney Instituting Mental Health Conservatorship Proceedings

The text is listed below or attached:

Ordinance amending the Health Code to designate the City Attorney rather than the District Attorney to institute judicial proceedings under California Welfare and Institutions Code, Division 5 (Community Mental Health Services), as provided in Chapter 3, Conservatorship for Gravely Disabled Persons.

Signature of Sponsoring Supervisor:



For Clerk's Use Only: