

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN
DIEGO RELATING TO SENATE BILL (SB) 43.

Resolution No. X

Meeting Date: December 5, 2023

WHEREAS, The Lanterman-Petris-Short (LPS) Act, enacted in 1967, provides for the involuntary commitment and treatment of a person who is a danger to themselves or others or who is gravely disabled; and

WHEREAS, Under the LPS Act, "gravely disabled," was narrowly defined as a condition in which a person, as a result of a mental health disorder or impairment by chronic alcoholism, is unable to provide for their basic personal needs for food, clothing, or shelter; and

WHEREAS, Senate Bill (SB) 43 of the 2022-2023 Regular Legislative Session, which was signed into law on October 10, 2023, expands the definition of gravely disabled to include individuals with a severe substance use disorder or a co-occurring mental health disorder and a severe substance use disorder; and

WHEREAS, SB 43 further expands the definition of gravely disabled to a condition in which a person, as a result of a mental health disorder, impairment by chronic alcoholism, a severe substance use disorder, or a co-occurring mental health disorder and a severe substance use disorder, is unable to provide for their basic personal needs for food, clothing, shelter, personal safety, or necessary medical care; and

WHEREAS, Pursuant to the terms of SB 43, the governing body of a county is authorized to establish the implementation date of SB 43's revisions to the LPS Act; and

WHEREAS, The County of San Diego (County) has made significant progress to reimagine its behavioral health system; and

WHEREAS, the County will be undertaking a multi-sectoral planning process that involves engagement with key parties and agencies impacted by and/or involved with the implementation of SB 43.

NOW, THEREFORE, IT IS HEREBY RESOLVED, in accordance with Section 5008(h)(4) of the California Welfare & Institutions Code as added by SB 43, that the County will implement SB 43 effective January 1, 2025,

IT IS FURTHER RESOLVED that the County of San Diego will undertake a multi-sectoral planning process that involves engagement with key parties and agencies impacted by and/or involved with the implementation of SB 43.

APPROVED AS TO FORM AND LEGALITY

Claudia G. Silva, County Counsel

BY: Andrew D. Gregor, Senior Deputy County Counsel