



2025-2026 General Assembly

HOUSE BILL 1104: Improve Involuntary Commitment Process and Enhance Public Safety, Sec. 7: Study Legal Standards for Involuntary Commitment and Incapacity to Proceed

Analysis of: S.L. 2026-38, Sec. 7

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Prepared by: Legislative Analysis
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Section 7 of S.L. 2026-38 (House Bill 1104) requires the North Carolina Collaboratory (Collaboratory) to (i) conduct a comprehensive study of the differing legal standards governing involuntary commitment (IVC) and incapacity to proceed, and (ii) identify statutory revisions that would enhance each process's effectiveness. The study must include recommendations for statutory changes to address inconsistent terminology in the General Statutes and clarify procedures for the transition of individuals between IVC and incapacity to proceed proceedings.

The Collaboratory must submit to the Joint Legislative Oversight Committee on Health and Human Services (JLOCHHS) a progress report by December 1, 2026, and a final report to JLOCHHS by March 1, 2027.

This section became effective July 6, 2026.

Kara McCraw
Director



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