

**BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA  
RESOLUTION \_\_\_\_\_**

**RESOLUTION OF THE LAKE COUNTY BOARD OF SUPERVISORS DEFERRING  
IMPLEMENTATION OF THE CHANGES MADE TO WELFARE AND INSTITUTIONS  
CODE SECTION 5008 BY SENATE BILL 43 (2023-2024 REG SESSION)**

**WHEREAS**, the Lanterman-Petris-Short (LPS) Act (Welfare and Institutions Code section 5000, et seq.) provides for the evaluation and treatment of a person who is gravely disabled, which is defined to mean a condition in which a person, as a result of a mental health disorder, is unable to provide for his or her basic personal needs for food, clothing, or shelter; and

**WHEREAS**, Senate Bill 43 (2023-2024 Reg. Session), Statutes 2023, Chapter 637 (SB 43), signed by the Governor on October 10, 2023, expands the definition of gravely disabled to include a person who, as a result of a mental health disorder, a severe substance use disorder, or a co-occurring mental health disorder and a severe substance use disorder, or as a result of impairment by chronic alcoholism, is unable to provide for their basic personal needs for food, clothing, shelter, personal safety, or necessary medical care; and

**WHEREAS**, this expanded definition of gravely disabled becomes effective on January 1, 2024; and

**WHEREAS**, the responsibility for administering the LPS system falls largely with counties; and

**WHEREAS**, SB 43's expansion of the definition of grave disability will require a significant effort in building and expanding the treatment, workforce, delivery networks, housing capacity and models for locked treatment settings or models of care for involuntary SUD treatment to successfully meet the conservatorship needs of the population; and

**WHEREAS**, the breadth of that effort requires more time than SB 43's effective date allows; and

**WHEREAS**, in recognition of this, Welfare and Institutions Code section 5008, subdivision (h)(4), as enacted by SB 43, provides that a county, by adoption of a resolution of its governing body, may elect to defer implementation of the changes made to this section by SB 43 until January 1, 2026, thereby postponing implementation of the new definition of grave disability.

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**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors for County of Lake as follows:

1. Pursuant to Welfare and Institutions Code section 5008, subdivision (h)(4), as enacted by SB 43, the County of Lake hereby elects to defer implementation of the changes made by that bill to Welfare and Institutions Code section 5008 until January 1, 2026.
2. This Resolution shall go into effect on January 1, 2024.

**THIS RESOLUTION** was passed and adopted by the Board of Supervisors of the County of Lake at a regular meeting thereof on the 9th day of January 2024, by the following vote:

**AYES:**

**NOES:**

**ABSENT OR NOT VOTING:**


**ATTEST:**  
SUSAN PARKER  
Clerk of the Board of Supervisors

**COUNTY OF LAKE**

By: \_\_\_\_\_  
Deputy

\_\_\_\_\_  
Chair, Board of Supervisors

**APPROVED AS TO FORM:**  
LLOYD GUINTIVANO, County Counsel

  
\_\_\_\_\_  
Lloyd Guintivano (Jan 2, 2024 11:56 PST)

# RESOLUTION\_SB 43 Defer Implementation\_BH

Final Audit Report

2024-01-02

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