

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**May 7, 2003**

**TO:** Honorable Florence Shapiro, Chair, Senate Committee on Education

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB1406** by Brown, Betty (Relating to a recommendation by a school district employee concerning a use of a psychotropic drug by a student or psychiatric evaluation or examination of a student and to refusal by a parent or certain other person to consent to administration of a psychotropic drug to a student or to psychiatric evaluation or examination of a student.), **As Engrossed**

**No fiscal implication to the State is anticipated.**

The bill would prohibit a school district employee from recommending that a student use a psychotropic drug or have a psychiatric evaluation or examination. The bill would also prohibit a school district from using the refusal of a parent to consent to administrative of a psychotropic drug to a student or to a psychiatric evaluation or examination as the sole grounds for prohibiting a child from attending a class or participating in a school-related activity. The bill would specifically state that these provisions would not prevent an appropriate referral for special education evaluation. The board of trustees of each school district would be required to adopt a policy to ensure implementation and enforcement of the bill's provisions.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 701 Central Education Agency

**LBB Staff:** JK, CT, UP, PQ