

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION

April 3, 2003

TO: Honorable Jaime Capelo, Chair, House Committee on Public Health

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB2609 by Coleman (Relating to the establishment of mental health court programs.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code to create a mental health court program for mentally ill and mentally retarded misdemeanants. The bill would require the Department of Criminal Justice to adopt a procedure to fund the program based on the amount of money that would have been spent from state appropriations on each participant if the participant were to remain in the criminal justice system.

The Texas Council on Offenders with Mental Impairments estimates that 15,000 misdemeanants per year would meet the criteria specified by the bill.

Currently, the fiscal year 2002-03 General Appropriations Act provides funding at \$0.70 per day per misdemeanant for 182 days. This would create a cost of \$1,911,000 ($\$0.70 \times 182 \times 15,000$) per year to institute the program. However, since the program is meant to remove these misdemeanants from the criminal justice system, the department would shift the money currently transferred to local probation departments for misdemeanor supervision of these offenders to the county commissioner's court to create the mental health court system. This would result in no net cost to the state.

Local Government Impact

No significant fiscal implication to units of local government is anticipated. The bill would result in a shift of funding currently allocated to community supervision and corrections departments to the commissioner's court for the operation of the mental health court programs. Costs associated with creation and operation of the courts would be offset by funds from 1) the Texas Department of Criminal Justice and 2) program participants, if they are able to pay.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 655 Department of Mental Health and Mental Retardation, 696 Department of Criminal Justice

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