

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

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

**May 17, 2003**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

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

**IN RE: HB2895** by Allen (Relating to the operations of the Texas Youth Commission.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend:

Section 1- Human Resources Code, Section 61.073 to include a youth's personally identifiable information as a non public record;

Section 2 - Human Resources Code, Chapter 61 to add Sections 61.0731 and 61.0751 to allow the Texas Youth Commission (TYC) to disclose records and information about a youth to the youth and the youth's parent or guardian only if the disclosure would not materially harm the youth's treatment and rehabilitation and would not decrease the likelihood of the agency receiving information from the same or similar sources in the future. In addition, this section also provides that a youth who is age 18 or older must give consent for disclosure to a parent or guardian and that TYC may disclose information regarding a youth's location and committing court when there is a legitimate need for the information. This section also outlines the procedure for the issuance of a subpoena by the agency;

Section 3 - Human Resources Code, Section 61.0772(b) to require the agency to refer a youth requiring outpatient psychiatric treatment to the appropriate mental health authority and to require the agency to file a sworn application for court-ordered mental health services for any child requiring inpatient psychiatric treatment;

and

Section 4 - Government Code, Section 2001.223, to include a hearing or interview conducted by the agency's pardons and paroles division relating to the grant, rescission, or revocation of parole as an exception from declaratory judgment, court enforcement, and contested case provisions.

**Local Government Impact**

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

**Source Agencies:** 694 Youth Commission

**LBB Staff:** JK, WK, VDS, LG