

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION
Revision 1

May 23, 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), **Committee Report 2nd House, As Amended**

No significant fiscal implication to the State is anticipated.

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;

and

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.

Local Government Impact

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

Source Agencies: 694 Youth Commission

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