

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

**FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION**

**April 11, 2005**

**TO:** Honorable Suzanna Gratia Hupp, Chair, House Committee on Human Services

**FROM:** John S. O'Brien, Deputy Director, Legislative Budget Board

**IN RE: HB3303** by Davis, John (Relating to emergency apprehension and detention of a person believed to have a mental illness.), **As Introduced**

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

This bill would amend Section 573.001 of the Health and Safety Code by adding subsections (g) and (h), relating to emergency apprehension and detention of a person believed to have a mental illness. The bill would direct a peace officer to take a person into custody and transport the person as specified in subsection (d) if a physician examination concludes that the person is mentally ill and there is a substantial risk of serious harm. Currently, a peace officer may act on the representation of a credible person.

The bill would also allow a physician to transport a person under certain conditions to an inpatient mental health facility, without the assistance of a peace officer.

The bill would take effect immediately if it receives a vote of two-thirds the members elected to each house. If not, the bill would take effect September 1, 2005.

The Department of State Health Services believes the bill could result in increased admissions to mental health facilities by physicians unfamiliar with available community services. However, the agency is not able to quantify this potential increase.

**Local Government Impact**

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

**Source Agencies:** 537 Department of State Health Services, 539 Department of Aging and Disability Services

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