

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 23, 2005

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

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

IN RE: SB307 by Duncan (Relating to a mental health court program.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would authorize a county to establish a mental health court program for persons who have been arrested for or charged with a felony and are suspected by a law enforcement agency or a court of having a mental illness or mental retardation. Under provisions of the bill, issues processed in the mental health court program shall be handled by a magistrate. The bill would take effect immediately if it were to receive the required two-thirds vote in each house; otherwise, it would take effect September 1, 2005.

Under current statute, a county is authorized to establish such a program for persons who are suspected of having a mental illness or mental retardation who have been charged with a misdemeanor. Program participants may be required by the court to pay for the costs of treatment and services, depending on their ability to pay.

Local Government Impact

Costs to counties to implement the provisions of the bill would vary depending on the level of need for the program based on the potential number of eligible participants in each county. The costs would be offset to some degree by the fees collected from program participants, if they are able to pay.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 537 Department of State Health Services

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