

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

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 14, 2007**

**TO:** Honorable Patrick M. Rose, Chair, House Committee on Human Services

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

**IN RE: HB405** by Davis, John (Relating to emergency apprehension and detention of a person believed to have a mental illness.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill requires that peace officers take a person into custody and transport that person to a mental health facility if a physician represents to the officer that they examined the person during the preceding 24 hours and concluded that the person is mentally ill and that there is a substantial risk of serious harm to the person or others unless the person is immediately restrained.

Physicians, without the assistance of a peace officer, may transport or order the transportation of a person to an inpatient mental health facility for preliminary examination if the same conditions are met; the physician must immediately file an application for detention with the facility. The physician must provide the peace officer with, or include in the application for detention, a specific description of the risk of harm and a detailed description of the specific relevant behavior, acts, attempts, or threats by the person to be transported.

**Local Government Impact**

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

**Source Agencies:** 537 State Health Services, Department of

**LBB Staff:** JOB, CL, PP, LR, SSt