LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 15, 2007

TO: Honorable Joe Driver, Chair, House Committee on Law Enforcement

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

IN RE: **HB1936** by Burnam (Relating to a medical examination for individuals against whom a peace officer uses a Taser or other stun gun.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would add Article 2.30 to the Code of Criminal Procedure to require a peace officer to ensure that an individual against whom the officer has used a stun gun or taser receives a medical examination, and if appropriate, medical treatment as soon is is practicable after the use of the taser or stun gun. The examination or treatment must be provided in a hospital or by an emergency medical technician (EMT) or licensed paramedic.

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, 2007.

The Department of Public Safety does not issue stun guns or tasers to its commissioned officers; therefore, there would be no fiscal impact to the agency.

Local Government Impact

The fiscal impact would vary by local governmental entity and would depend on how many times a taser or stun gun is used. If each agency must absorb the costs for providing services, the law enforcement agency would incur costs associated with extra time spent by an officer in ensuring medical treatment is provided and the hospital or EMT/paramedic agency would incur costs of providing services that it is unknown whether the person tased/stunned or the law enforcement agency would reimburse.

Source Agencies: 405 Department of Public Safety

LBB Staff: JOB, ES, DB