

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 8, 2007

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

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

IN RE: SB1311 by Wentworth (Relating to the exchange of information among certain governmental entities concerning at-risk youth.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend Subchapter A, Chapter 58, Family Code to require the exchange of information concerning at-risk youth among the Youth Commission (TYC), the Juvenile Probation Commission (JPC), the Department of Family and Protective Services (DFPS), the Texas Education Agency (TEA), juvenile probation departments, school districts of charter schools, local mental health or mental retardation (MHMR) agencies, municipal and county health departments, and a hospital district. An at-risk youth is described as a person under age 18 who has been referred to or adjudicated in a juvenile court for delinquent conduct or conduct indicating a need for supervision, a person who is on any form of juvenile supervision of probation, a person who is in the custody of TYC, or a person who has a history of active involvement with DFPS or a local MHMR agency. An agency named in this bill would be required to disclose information concerning an at-risk youth's identity, needs, treatment, social, criminal, educational and vocational history, probation or supervision status, compliance with conditions of probation, and medical and mental health history to other agencies named in the bill only if the information would serve to protect the community or provide services to the at-risk youth who is the subject of the information. The agencies could enter into a memorandum of understanding with other agencies to specify the types of information that may be exchanged and the protocol for exchanging such information to ensure the protection of confidential information.

The bill would take effect September 1, 2007. TEA anticipates a \$65,000 per year technology cost from the passage of the bill.

Local Government Impact

Costs to local mental health or mental retardation authorities, municipal or county health departments, or hospital districts to exchange information about at-risk youth would depend on the number of at-risk identified in a particular locality. It is assumed that each agency would exchange information in the most cost-effective manner available.

TEA reports that administrative costs to school districts and open-enrollment charter schools could vary widely depending on the number of requests for information, the type and format of data requested, and the frequency of requests to accept or provide data. School district staff would have to collect the authorization from a parent or guardian and maintain the record of the authorization to release data and the data released and to which agency.

Source Agencies: 530 Family and Protective Services, Department of, 665 Juvenile Probation Commission, 694 Youth Commission, 701 Central Education Agency

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