

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 11, 2007

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

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

IN RE: SB1755 by Ellis (Relating to the collection and dissemination of certain information for a federal firearm background check.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Government Code relating to the collection and dissemination of certain information for a federal firearm background check.

The bill would add Government Code, Section 411.052, Federal Firearm Reporting, which defines "federal prohibited person information" and requires the Department of Public Safety (DPS) to make information available to the Federal Bureau of Investigation for use in the National Instant Criminal Background Check system, data concerning individuals who are found to be incompetent due to mental illness or mental retardation. The bill adds Government Code, Section 411.0521, Report by Court to the Department of Public Safety, which states courts shall report various personal information to DPS no later than 30 days after the date of the court orders: inpatient mental health services; commitment in long-term residential care; appoints a guardian with full authority over an individual; determines a persons is incompetent to stand trial; and acquittal by reason of insanity. The bill would take effect September 1, 2007 and requires each clerk of the court to prepare and forward the information for any court orders issued on or after September 1, 2003 and before the effective date of this Act. DPS states the provisions of the bill would have no significant fiscal impact to their agency.

Local Government Impact

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

Source Agencies: 405 Department of Public Safety

LBB Staff: JOB, ES, GG, LG, KJG