

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 20, 2009

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

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

IN RE: HB4451 by McReynolds (Relating to continuity of care services or mental health commitment proceedings for youth with mental illness or mental retardation who are transferred, discharged, or paroled from the Texas Youth Commission.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

Under the provisions of the bill, youth with mental illness or mental retardation discharged or paroled from TYC would be eligible to receive continuity of care services from the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI). The bill would authorize TYC to petition the juvenile court for the initiation of mental health commitment proceedings for a youth committed to a determinate sentence. The juvenile court would be required to credit time the youth is committed to an inpatient mental health facility to the term of commitment. The bill would allow youth who do not meet criteria for adult services to continue to receive continuity of care services until the youth completes parole. The bill would also allow youth with mental illness discharged from TYC to receive continuity of care services for a minimum of 90 days after discharge and for as long as necessary until the youth can demonstrate sufficient stability to successfully transition to services provided by a local mental health and mental retardation center.

Most of the provisions of the bill would apply only to a youth discharged or paroled from TYC on or after the effective date of the Act regardless of when the youth was committed to TYC. The provision regarding the transfer of youth serving determinate sentences for mental health services applies only to a youth committed to TYC for conduct that occurs on or after the effective date of the Act.

TYC and the Department of Aging and Disability estimate no significant fiscal impact. The Texas Department of Criminal Justice (TDCJ) reports it cannot determine the fiscal impact from the increased use of services for juvenile offenders provided by TCOOMMI. It is assumed that the fiscal impact to TDCJ would not be significant. The bill would take effect September 1, 2009 unless it receives the votes necessary to become effective immediately.

Local Government Impact

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

Source Agencies:

LBB Staff: JOB, ESi, GG, AI