

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

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**March 2, 2009**

**TO:** Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

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

**IN RE: SB32** by Zaffirini (Relating to the detention and transportation of a person with a mental illness.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would specify conditions for detaining in a jail or other nonmedical facility a person suspected of having a mental illness that is apprehended by a peace officer without a warrant, apprehended and detained under order, or detained in protective custody. The bill would allow detention in a jail or nonmedical facility if a medical facility or other suitable facility is not available or accessible.

**Local Government Impact**

Developing suitable short-term detention alternatives could result in costs to local mental health authorities or the reallocation of resources from current services.

Transporting individuals for mental health purposes could result in savings to sheriffs' departments due to reduced jail time and fewer doses of psychotropic drugs. However, arranging a bed in a proper and accessible facility could have a negative financial effect on the local mental health and mental retardation authority, which is difficult to quantify.

Other factors are associated with developing an accurate fiscal impact, including the number of transports each year; availability of beds in nearby state facilities; transportation costs if a local bed is not available; overtime, meals and lodging costs during transport; and overtime for officers taking over the duties of the personnel involved in transport.

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

**LBB Staff:** JOB, CL, JF, TP, LR