

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 8, 2009

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

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

IN RE: SB1505 by Whitmire (Relating to the arrest and release on bail or other form of bond of certain criminal defendants with a mental illness or with mental retardation.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure to authorize a magistrate to require as a condition of release on bond, other than on personal bond, that a defendant submit to outpatient or inpatient mental health or mental retardation treatment as recommended by an applicable local mental health or mental retardation authority if certain circumstances exist. An order for treatment could require the defendant to reside at a local mental health facility or residential care facility, as applicable, during the defendant's release period.

Local Government Impact

No significant fiscal implication to units of local government is anticipated, provided the defendant is responsible for associated costs. If a local government entity would be responsible for the costs, the fiscal impact would depend on the number of defendants to which the conditions would apply.

Source Agencies:

LBB Staff: JOB, ESi, DB