

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 16, 2011

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

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

IN RE: HB3342 by Naishtat (Relating to representation of and by the state and joinder of the state in certain mental health proceedings.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

The bill clarifies that the state shall be made party in a habeas corpus proceeding in which an inpatient mental health facility or physician is a party as a result of enforcing a commitment order. The bill specifies that an appropriate attorney prescribed by Section 571.016 shall represent the state and when necessary certain inpatient mental health facilities and/or physicians in these proceedings.

According to the Department of State Health Services (DSHS) this provision reflects current practice and therefore should not result in any additional cost to the State.

Local Government Impact

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

Source Agencies: 537 State Health Services, Department of

LBB Staff: JOB, KKR, CL, MB, JF, NB