

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

March 29, 2011

TO: Honorable Jerry Madden, Chair, House Committee on Corrections

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

IN RE: HB3385 by Madden (Relating to the exchange of confidential information among certain governmental entities concerning certain juveniles.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Family Code, Education Code, and the Health and Safety code to require certain entities that provide services to multi-system youth, as defined by the bill, to share certain information and records. The bill defines the entities that would be required to share information as juvenile service providers and includes juvenile justice agencies, health and human service agencies, school districts, the Texas Education Agency, and local mental health authorities among others. The bill would allow juvenile service providers to enter into memorandums of understanding with each other in order to share information according to certain protocols and without violating federal law, including any federal funding requirements. The bill would require juvenile service providers to pay a fee to other juvenile service providers for the reasonable costs associated with disclosure of information.

This analysis assumes any costs associated with implementation of the bill's provisions would be partially offset by the establishment of reasonable fees for the provision of requested information. This analysis also assumes information currently shared among the applicable entities would continue in the same manner. Additionally, this analysis assumes juvenile service providers would have the ability to establish agreed-upon information sharing protocols among each other via the use of memorandums of understanding. The provisions of the bill may also result in an indeterminate amount of cost savings due to reduced inefficiencies and reduced duplicative services to multi-system youth.

Local Government Impact

This analysis assumes local entities such as county juvenile probation departments, independent school districts, and local mental health authorities would only request information under the provisions of the bill within their available funding, due to potential fees associated with obtaining the information. Additionally, this analysis assumes local entities would also have the ability to enter into memorandums of understanding with other juvenile service providers to share information according to agreed-upon protocols. This analysis assumes any costs associated with sharing information would be partially offset by the establishment of reasonable fees for the provision of requested information.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 405 Department of Public Safety, 529 Health and Human Services Commission, 530 Family and Protective Services, Department of, 537 State Health Services, Department of, 538 Assistive and Rehabilitative Services, Department of, 539 Aging and Disability Services, Department of, 665 Juvenile Probation Commission, 694 Youth Commission, 701 Central Education Agency

LBB Staff: JOB, KKR, TB, NM, ESi