

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 21, 2011

TO: Honorable Lois W. Kolkhorst, Chair, House Committee on Public Health

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

IN RE: SB44 by Zaffirini (Relating to the detention and transportation of a person with a mental illness.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

The bill would specify conditions for detaining in a jail or a similar detention 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 similar detention facility for a specific period of time in an extreme emergency situation.

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, MB, JF, NB