

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 9, 2011

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

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

IN RE: SB1162 by Wentworth (Relating to reporting regarding, the apprehension and transportation of, and records relating to certain persons who are or may be persons with mental illness.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill amends Section 611.004 of the Health and Safety Code to require mental health professionals to report to law enforcement personnel confidential information relating to a patient that is mentally ill and believed to intend to: commit suicide by acting in a manner that provokes a law enforcement response, or cause serious bodily injury to a government official or another individual. The mental health professional is immune from civil or criminal liability for the disclosure. The bill allows a peace officer to take the person into custody without a warrant, if the above described report is received from a mental health professional.

The bill amends Section 411.042(b) of the Government Code to require the Department of Public Safety Bureau of Identification and Records to procure and file for record fingerprints and other pertinent information of certain persons for whom mental health treatment is court-ordered or who have been acquitted in a criminal case by reason of insanity or lack of mental responsibility.

It is anticipated that any costs associated with implementation of these new provisions can be absorbed within existing agency resources.

Local Government Impact

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

Source Agencies: 405 Department of Public Safety, 537 State Health Services, Department of

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