

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 6, 2011

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

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

IN RE: SB1358 by Lucio (Relating to electronically transmitting a warrant for emergency detention.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code to authorize a judge or magistrate to permit a physician who is remotely applying for the emergency detention of a person to submit an application by e-mail with the application attached as a secure document in a portable document format (PDF).

The bill would authorize a judge or magistrate to electronically transmit a warrant to the applicant with a digital signature or by e-mail with the warrant attached as a secure document in a PDF with the legal signature of the judge or magistrate.

The bill would take effect September 1, 2011.

Local Government Impact

There could be costs to local entities for the equipment to transmit electronically, but the amount would vary depending on the volume of cases and the equipment currently available. It is assumed that a local entity would choose to submit electronic warrants only if sufficient funds were available. Hospitals currently have the capability to receive electronic transmissions; therefore, no significant fiscal impact is anticipated.

Source Agencies: 537 State Health Services, Department of

LBB Staff: JOB, ESi, TP