

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 2, 2011

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

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

IN RE: SB1503 by Huffman (Relating to procedures regarding certain criminal defendants who are or may be persons with mental illness or mental retardation.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure and the Health and Safety Code relating to procedures regarding certain criminal defendants who are or may be persons with mental illness or mental retardation. The proposed amendments include provisions for the use of telephonic conferencing, extensions of the restoration period, and for judicial review of discharge. According to the Office of Court Administration, the use of telephonic conferencing for some hearings may result in some positive fiscal impact to the state through savings on transportation costs. Also, OCA reports the provisions which clarify the maximum period of facility commitment may produce some positive fiscal impact. The proposed judicial review of discharge may result in additional workload for the courts, but the fiscal impact is not expected to be significant. Accordingly, to the extent the bill would amend procedures in certain criminal cases; no significant fiscal implication to the state is anticipated. The bill would take effect September 1, 2011.

Local Government Impact

The use of telephonic conferencing for some hearings may result in some positive fiscal impact through savings on transportation costs. Also, the provisions which clarify the maximum period of facility commitment may produce some positive fiscal impact. The extent of the positive fiscal impact will vary depending on the number of defendants from a given jurisdiction who are committed.

The additional costs associated with the proposed judicial review of discharge may result in additional workload for the courts; however, the fiscal impact is not expected to be significant.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 537 State Health Services, Department of

LBB Staff: JOB, ESi, TB, KKR