

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 13, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1738 by Naishtat (Relating to the emergency detention by a peace officer of a person who may have mental illness, including information provided to the person subject to detention and a standard form of notification of detention to be provided to a facility by a peace officer.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code to require a peace officer to immediately inform the person orally of the reason for the detention and to file a notification of emergency detention on a prescribed form with a facility. A mental health facility or hospital emergency department could not require a peace officer to execute any other form as a predicate to accepting a person for temporary admission.

The bill would require the executive commissioner of the Health and Human Services Commission to prescribe the manner in which the person is informed of the rights.

Local Government Impact

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

Source Agencies:

LBB Staff: UP, SD, CL, TP