

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 27, 2013**

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

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** SB33 by Zaffirini (Relating to the electronic monitoring of residents at state supported living centers; providing criminal penalties.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend Chapter 555, Health and Safety Code, to allow the Department of Aging and Disability Services (DADS) to place an electronic monitoring device in a state supported living center resident's room and make tapes or recordings, if requested by residents with capacity or certain other individuals. The executive commissioner of the Health and Human Services Commission (HHSC) would have rulemaking authority. The bill would provide for written and oral consent procedures and posting requirements. The bill would require residents, guardians, or legal representatives to pay for all costs associated with conducting electronic monitoring except electricity costs.

Persons conducting authorized electronic monitoring are required to report incidents in which they have cause to believe abuse, neglect, or exploitation has occurred to the Department of Family and Protective Services (DFPS) and to provide the tape or recording to DFPS and the Office of Inspector General at HHSC. The bill would create criminal penalties for interfering with an electronic monitoring device.

DADS, HHSC, and DFPS assume any cost to implement provisions of the bill would be minimal and can be absorbed within available resources. The Office of Court Administration assumes there would be no significant fiscal impact to court operations.

**Local Government Impact**

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

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 529 Health and Human Services Commission, 530 Family and Protective Services, Department of, 539 Aging and Disability Services, Department of

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