

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 8, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB36 by Zaffirini (Relating to the detention and transportation of a person with a mental illness.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code, Chapters 573 and 574, as it relates to the detention and transportation of a person with a mental illness. Under the provisions of the bill, in the event of an extreme emergency, a person with a mental illness or under a protective custody order may be detained in a jail or similar detention facility during the extreme emergency and for not longer than 12 hours after the extreme emergency ends. The bill would require additional coordination between jails and local mental health authorities during extreme emergencies.

Based on the analysis provided by the Department of State Health Services and the Commission on Jail Standards, it is assumed that the provisions of the bill can be implemented within existing resources.

The bill would take effect immediately if it receives a two-thirds majority vote in both Houses of the Legislature, otherwise it will take effect September 1, 2013.

Local Government Impact

According to sheriff's offices surveyed by the Texas Association of Counties, due to shortages of state-funded mental health treatment beds and short term crisis stabilization facilities, especially in rural areas, orders for emergency detentions are common and require the sheriff or constable to transport a person in crisis for treatment and stabilization. Costs would depend on the number, nature, and severity of extreme weather emergencies but could be costly for counties with significant staffing needs and medical expenses.

Harris County Sheriff's Office reported no significant fiscal impact associated with the bill.

Source Agencies: 409 Commission on Jail Standards, 537 State Health Services,
Department of

LBB Staff: UP, CL, CH, NB, KKR