

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 30, 2019

TO: Honorable Senfronia Thompson, Chair, House Committee on Public Health

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB4610 by Shaheen (Relating to the emergency detention of certain persons with a mental illness or cognitive disability.), **As Introduced**

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 transfer custody of a person with an apparent mental illness to an inpatient mental health facility upon taking them into custody if the person poses a risk of serious harm to the person or others. The bill would also require a magistrate to immediately notify law enforcement upon issuance of a warrant to apprehend a person who has a mental illness and poses a risk of serious harm to the person or others and limits the amount a court may charge for filing an application for emergency detention or issuing a warrant to \$25.

Based on the analysis of the Office of Court Administration and the Texas Commission on Law Enforcement, duties and responsibilities associated with implementing the provisions of the bill could be accomplished using existing resources.

The bill would take effect immediately if it receives a vote of two-thirds of all the members elected to each house, or September 1, 2019.

Local Government Impact

The Justices of the Peace and Constables Association of Texas does not anticipate a significant fiscal impact on counties.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 407
 Commission on Law Enforcement

LBB Staff: WP, AKi, DA, AF