

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

March 31, 2019

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

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

IN RE: SB362 by Huffman (Relating to court-ordered mental health services.), **As Introduced**

The fiscal implications of the bill on the Health and Human Services Commission cannot be determined at this time due to insufficient information related to a potential increase in the number of individuals who would receive court-ordered outpatient mental health services under the provisions of the bill.

The bill would amend Chapter 46B of the Code of Criminal Procedure to allow for the release of certain defendants charged with a Class B misdemeanor on bail to receive outpatient mental health services. The bill would amend Chapter 574 of Health and Safety Code to have an order under Chapter B-1 of the Code of Criminal Procedure serve as an application for court-ordered mental health services. The bill would modify the conditions under which a judge may order outpatient mental health services. The bill would allow for a court to set a status conference on the patient's compliance with court-ordered outpatient services. The bill would require a mental health facility to pay for medication for a patient on furlough or discharge sufficient to last until the patient can see a physician. The bill would amend Chapter 22 of Government Code to require the Court of Criminal Appeals to ensure judicial training related to the problems of court-ordered mental health services is provided at least once a year. The bill would repeal Sections 574.065(e) and 574.081(h) of the Health and Safety Code. The bill would take effect September 1, 2019.

The fiscal impact to the Health and Human Services Commission cannot be determined as it is dependent on the number of additional individuals who would receive court-ordered mental health outpatient services, which is unknown. In addition, there may be a potentially significant but unknown cost to the state in providing temporary medications for certain patients after discharge or furlough. It is assumed that the Office of Court Administration can implement the provisions of the bill within existing resources.

Local Government Impact

According to the Office of Court Administration, no significant fiscal implication to local courts is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 529 Health and Human Services Commission

LBB Staff: WP, CMa, EP, SB