

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 5, 2023

TO: Honorable James B. Frank, Chair, House Committee on Human Services

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB576 by Menéndez (relating to the reporting, investigation, and prosecution of the criminal offense of financial abuse of an elderly individual.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend requirements related to reports of criminal conduct to a law enforcement agency by the Department of Family and Protective Services. The bill would create a rebuttable presumption that any transfer, appropriation, or use of an elderly individual's money or other property by a paid or unpaid caregiver of the person is wrongful for the purposes of defining financial abuse and financial exploitation if it is shown that the actor knew or should have known that, at the time of the offense, the elderly individual had been diagnosed with dementia, Alzheimer's disease, or a related disorder.

The Department of Family and Protective Services and the Health and Human Services Commission both indicate that no significant fiscal impact is anticipated. It is assumed that any fiscal impact and any impact on state correctional populations or on the demand for state correctional resources would not be significant.

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

LBB Staff: JMc, NPe, LBO, ESch