

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

Revision 1

April 11, 2023

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB1585 by Sparks (Relating to certain proceedings in juvenile court for children with mental illness and intellectual disabilities.), **As Introduced**

No significant fiscal implication to the State is anticipated. There may be a significant cost to local governments related to forensic examinations, restoration classes, and mental health services.

The bill would establish procedures for conducting a forensic mental examination as ordered by a juvenile court. The bill would establish criteria under which a juvenile court could order a child to receive temporary or extended inpatient or outpatient mental health services. The bill would require court-ordered treatment to focus on the stabilization of the child's mental illness and on meeting the child's psychiatric needs in the least restrictive appropriate setting.

The bill would authorize juvenile probation departments to provide restoration classes in collaboration with outpatient treatment for a child with mental illness or intellectual disability. The bill would require a juvenile court to consult with the local mental health authority (LMHA) and the local intellectual and developmental disability authority (LIDDA) to determine appropriate treatments for a child.

The bill would require a juvenile court to direct the LMHA to file proposed treatment for a child with mental illness. The bill would require the Health and Human Services Commission (HHSC) to identify a facility and admit the child to the facility following a court order for inpatient mental health services.

Based on information provided by the Health and Human Services Commission, the Office of Court Administration, and the Juvenile Justice Department, it is assumed that costs associated with implementing the bill could be absorbed within current state resources.

Local Government Impact

Local entities could have a significant fiscal impact implementing the bill, including provisions related to new requirements for conducting forensic examinations. County juvenile probation departments could incur costs related to providing restoration classes in collaboration with outpatient treatment for a child with mental illness or intellectual disability. In addition, LMHAs and LIDDAs could have costs related to increased requirements for treatments as described in the bill.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 529 Health and Human Services Commission, 644 Juvenile Justice Department

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