F I S C A L   I M P A C T   R E P O R T

SPONSOR Aragon   **DATE TYPED** 2/4/04   **HB**

SHORT TITLE Study State Competency Laws   **SJM** 49

ANALYST Koplik

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
			NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

SOURCES OF INFORMATION
LFC Files

SUMMARY

Synopsis of Bill

Senate Joint Memorial 49 requests that the Metropolitan Criminal Justice Coordinating Council study state competency laws.

Significant Issues

Recently, a public safety gross receipts tax was approved by Albuquerque voters, and a portion of this tax is dedicated to crime prevention, including prevention and treatment programs for the mentally ill. This provides an opportunity to improve resources and services for mentally ill individuals.

One way of improving mentally ill individuals' relationship to the criminal justice system is through an examination of issues in state law regarding mental illness, competency determinations, and civil commitment procedures. A careful study should begin to better address public safety concerns and the needs of the mentally ill.

This memorial requests that the Metropolitan Criminal Justice Coordinating Council, along with behavioral health service providers, study competency laws in other states, particularly Kendra's Law in New York, and periodically report to the Legislative Corrections Oversight and Justice Committee.

SK/yr