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FISCAL IMPACT REPORT

ORIGINAL DATE 2/02/18

SPONSOR Strickler/Papen LAST UPDATED _____ HB 221

SHORT TITLE Peace Officer DD Mental Health Evaluations SB _____

ANALYST Sánchez

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

| | FY18 | FY19 | FY20 | 3 Year Total Cost | Recurring or Nonrecurring | Fund Affected |
|--------------|------|---------|---------|-------------------|---------------------------|---------------|
| Total | | Minimal | Minimal | Minimal | Recurring | General Fund |

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

House Bill 221 proposes to amend Section 43-1-10 to allow law enforcement detain and transport a person, enter the structure occupied by the person if a physician, psychologist, or qualified mental health professional certifies the person presents a likelihood of serious harm to self or others. It removes the requirement that the person be seen on an emergency basis by a certified psychologist or psychiatrist and allows the person be detained and transported by law enforcement to an evaluation facility. The bill also provides where feasible for a law enforcement crisis intervention team to be involved in the detention and transportation

SIGNIFICANT ISSUES

According to the Administrative Office of the Courts (AOC), HB221 is not clear how a psychiatrist would make such a determination that would allow officers to detain persons suspected of harming themselves or others and transport them for evaluation with only a certification from a psychiatrist.

PERFORMANCE IMPLICATIONS

This bill may have an impact on the following performance measures:

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- District Courts:
 - Cases disposed of as a percent of cases filed;
 - Percent change in case filings by case type;
- District Attorneys:
 - Average caseload per attorney;
 - Number of cases prosecuted;
 - Number of cases prosecuted per attorney;
- Public Defenders:
 - Percent of cases taken by contract attorneys;
 - Percent of cases that go to trial with clients defended by contract attorneys.

ADMINISTRATIVE IMPLICATIONS

The courts may be impacted if caseloads increase.

ABS/sb/al