

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 2782-04
BILL NO.: Perfected SCS for SB 530
SUBJECT: Forensic Clients in Corrections Facility Remain Under Control of Mental Health
TYPE: Original
DATE: March 16, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue	\$0 to (\$30,000)	\$0	\$0
Total Estimated Net Effect on <u>All</u> State Funds*	\$0 to (\$30,000)	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator** assume that this proposal will not fiscally affect their agency.

Officials from the **Department of Corrections** assumed for a similar proposal from this session that they would not be fiscally impacted by this legislation.

Officials from the **Office of Administration - Administrative Hearing Commission (AHC)** stated they do not anticipate that this proposal will significantly alter its caseload. However, if other similar bills also pass, there will be fiscal impact. If there are more cases, or more complex cases, there could be fiscal impact.

Officials from the **Department of Mental Health (DMH)** assumed movement of individuals won't be necessary as the definition of secure facility includes Marshall Habilitation Center as well as other mental health and mental retardation facilities, there would be no fiscal impact as DMH would have no additional responsibility due to the proposed legislation.

However, if the intent of the proposal is to move all MRDD forensic consumers to the Marshall Habilitation Center, non-forensic staff would be move out of Marshall Habilitation Center to the other Habilitation Centers that forensic staff were transferred from. This would result in no additional staff being needed, as well as no additional expense and equipment. However, three group homes on the Marshall Habilitation Center campus would have to be renovated to accommodate the MRDD forensic consumers. Renovations are expected to be \$10,000 for each group home, for a total of \$30,000. This amount would be a one-time expense. This cost would be paid from the General Revenue Fund.

Oversight will range the costs from \$0 (assuming no consumers will be moved) to approximately \$30,000 in FY2001 (assuming clients will be moved).

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
GENERAL REVENUE FUND			
<u>Costs - Department of Mental Health</u>	\$0 to		
One-time Renovation Costs	<u>(\$30,000)</u>	<u>\$0</u>	<u>\$0</u>

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<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
ESTIMATED EFFECT ON GENERAL REVENUE FUND	<u>\$0 to (\$30,000)</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal changes the definition of "secure facility" with respect to persons who have been tried and acquitted from responsibility for criminal acts on the basis of mental disease or defect. The proposal adds the Marshall Habilitation Center as a permissible secure facility, and removes the option that an accused may be housed in a private facility under contract with the Department of Mental Health. The proposal also allows a parent or guardian of a person committed to the Marshal Habilitation Center to appeal that decision to the Administrative Hearing Commission.

This legislation is not federally mandated, would not duplicate any other program and may require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of Administration - Administrative Hearing Commission
Office of State Courts Administrator
Department of Mental Health
Department of Corrections



Jeanne Jarrett, CPA
Director
March 16, 2000