

## DMHMRSAS (Draft) 2006 Fiscal Impact Statement

**1. Bill Number:** HB1322

**House of Origin:** ☒ Introduced ☐ Substitute ☐ Engrossed

**Second House:** ☐ In Committee ☐ Substitute ☐ Enrolled

**2. Patron:** Morgan

**3. Committee:** Courts of Justice

**4. Title:** Mental Illness; notice of release of acquittee

**5. Summary/Purpose:** This bill requires the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services to provide 48-hour advance notification to the sheriff of the committing jurisdiction and to any registered victims or next of kin of victims anytime and every time a Not Guilty by Reason of Insanity (NGRI) acquittee has been granted permission to leave a facility for any length of time.

**6. Fiscal Impact Estimates are:** Preliminary

**6a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2005-06	-	-	-
2006-07	\$94,331	2.00	General
2007-08	\$89,331	2.00	General
2008-09	\$89,331	2.00	General
2009-10	\$89,331	2.00	General
2010-11	\$89,331	2.00	General
2011-12	\$89,331	2.00	General

**7. Budget amendment necessary:** Yes

**8. Fiscal implications:** Implementation of this bill would result in a significant increase in workload to meet the expanded notification requirements. There are currently 115 NGRI's who have community privileges and may request leave. The Commonwealth's Attorney receives written notification of NGRI acquittees authorized for certain types of temporary leave from facility grounds. This bill expands notification requirements to any and all types of temporary leave; and, it triples the number of people to receive notification by adding the sheriff and victim (or victim's next of kin). Current resources are not sufficient to absorb the additional workload anticipated as a result of the legislation. It is projected that two positions, located at two separate facilities, at an on-going cost of \$89,331 will be needed. The FY 2007 projection includes one-time start-up costs of \$5,000.

**9. Specific agency or political subdivisions affected:** Department of Mental Health, Mental Retardation and Substance Abuse Services

**Date:** 02/07/06/eee

**Document:** G:\Fy06 Legislation\Hb1322.Doc Emily Ehrlichmann

cc: Secretary of Health and Human Resources