

Department of Planning and Budget 2007 Fiscal Impact Statement

1. Bill Number SB1103

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Engrossed
Second House	<input checked="" type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron Puller

3. Committee Courts of Justice

4. Title Insane defendants; restoration of competency.

5. Summary/Purpose: This bill updates provisions on the qualifications and procedures of a competency evaluator. Requires court to order release or involuntary commitment of defendant charged with a nonviolent misdemeanor, if treatment does not restore competency within 45 days. It also clarifies the role of the director of the community services board or behavioral health authority in restoring the competency of a defendant who is receiving treatment on an outpatient basis. The bill also provides that the director is to make and receive reports regarding the competency of the defendant.

6. Fiscal Impact: None

7. Budget amendment necessary: No

8. Fiscal implications: None

9. Specific agency or political subdivisions affected: Department of Mental Health, Mental Retardation and Substance Abuse Services; Community Services Boards; Behavioral Health Authorities

10. Technical amendment necessary: No

11. Other comments: During FY2006, CSB personnel provided court-ordered restoration services to 60 incompetent defendants at a cost of \$6,000 per case using existing appropriation. No specific funding was added to the FY 2006 – 2008 budget for this purpose. If a CSB is unable to provide outpatient services, the average cost of providing competency restoration services in a state hospital is between \$42,300 and \$65,250.

Date: 02/12/07

Document: G:\FY2007\2007 Legislation\SB1103s1.Doc Emily Ehrlichmann

cc: Secretary of Health and Human Resources