

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: HB938

House of Origin ☐ Introduced ☐ Substitute ☒ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Gilbert

3. Committee: Courts of Justice

4. Title: **Commitment hearings; petitioner right to appeal.**

5. Summary: Commitment hearings; petitioner right to appeal. Gives the petitioner the right to appeal a decision by the judge or special justice not to involuntarily commit a respondent.

6. Fiscal Impact Estimates: Indeterminate

7. Budget Amendment Necessary: No

8. Fiscal Implications: This bill would give to the petitioner the right to appeal the decision of the judge or special justice that an individual is not in need of involuntary commitment or is not eligible for admission to a training center. Currently the *Code* provides this appeal right only to the person who is involuntarily admitted or certified and provides a process for a petitioner to file a new petition in those cases where the decision is perceived to be faulty. This language change could result in additional costs associated with an increase in Community Service Board involvement and possible incremental admissions. The balance of the costs would impact the Involuntary Commitment Fund for independent evaluations and could result in additional costs to the courts, however because it is unknown how many individuals would appeal, there is no readily available data to quantify this impact.

9. Specific Agency or Political Subdivisions Affected: CSBs, DMHMRSAS, Courts

10. Technical Amendment Necessary: No

11. Other Comments: This may be burdensome to the Court because the *Code* requires the appeal '*be given priority over all other pending matters before the court*'.

Date: 02/15/2008

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cc: Secretary of Health and Human Resources