

Department of Planning and Budget

2017 Fiscal Impact Statement

1. Bill Number: HB 1975

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

2. Patron: Yost

3. Committee: Courts of Justice

4. Title: Temporary detention order; minimum time period for person to be held.

5. Summary: Provides that an inmate in a jail or an acquittee on conditional release held pursuant to a temporary detention order shall be held for at least 23 hours after the execution of the order. The bill also provides that a person held pursuant to a temporary detention order shall be held for up to 24 hours after admission to the facility of temporary detention for the provision of mental health treatment to stabilize such person's psychiatric condition. Currently, an inmate, acquittee, or person may be held pursuant to a temporary detention order for up to 72 hours, but there is no requirement that a person subject to such order be held for any minimum time period.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Indeterminate

8. Fiscal Implications: The bill cannot be analyzed for fiscal impact as it appears to contain an internal conflict. The bill, as drafted, sets a maximum of 24 hours for mental health treatment under a TDO which conflicts with existing language in the same statute that limits mental health treatment under a TDO to 72 hours.

9. Specific Agency or Political Subdivisions Affected: Department of Behavioral Health and Developmental Services, Department of Behavioral Health and Developmental Services, Community Services Boards, Courts of Justice, and Law Enforcement

10. Technical Amendment Necessary: Yes.

11. Other Comments: None