

## Department of Planning and Budget

### 2017 Fiscal Impact Statement

**1. Bill Number:** SB1006

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

**2. Patron:** Hanger

**3. Committee:** Education and Health.

**4. Title:** Commitment hearings; sharing of records and information.

**5. Summary:** Provides that records and information related to proceedings, hearings, and orders for involuntary commitment in the possession of the court, including identifiable information, shall be transmitted to the Department of Behavioral Health and Developmental Services upon request for the purpose of enabling the Department and its agents to maintain statistical archives and merge the data with other records and information in the Department's statistical archives; conduct research on the characteristics and outcomes of proceedings, hearings, and orders; and otherwise carry out its responsibilities in accordance with the provisions of Title 37.2 (Behavioral Health and Developmental Services). The bill requires the Department to take all necessary steps to protect the security and privacy of the records and information provided pursuant to the provisions of the bill in accordance with the requirements of state and federal law and regulations.

**6. Budget Amendment Necessary:** See below.

**7. Fiscal Impact Estimates:** Fiscal impact is preliminary. See fiscal implications below.

**8. Fiscal Implications:** The fiscal implications of this bill are dependent on interpretation. The wording of this bill is permissive in that it only requires documents be transferred if requested by the Department of Behavioral Health and Developmental Services (DBHDS), which would have a minimal impact and would not require additional resources, assuming documents are only requested in limited circumstances. However, the agency has expressed concerns that if existing or future contracts for research or mandated studies result in the agency being compelled to request all available records, this could result in hundreds of thousands of pages of information that would need to be securely transmitted and stored. DBHDS estimates this would require a record keeper (approximately \$85,000 per year) and a storage solution, such as the IBM Box, which is estimated at \$150,000 per year. Individual courts could also accrue significant costs if a large number of records were to be requested.

**9. Specific Agency or Political Subdivisions Affected:** Department of Behavioral Health and Developmental Services; Courts of Justice.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** This bill is a companion to HB1551.