

Department of Planning and Budget

2018 Fiscal Impact Statement

1. Bill Number: HB1193

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: Bell

3. Committee: Courts of Justice

4. Title: Persons acquitted by reason of insanity; commitment; sentencing

5. Summary: Provides that a person who is convicted of an offense and acquitted by reason of insanity of another offense in the same proceeding must be committed for inpatient hospitalization, if the court finds such commitment is necessary to treat the person, before the person starts serving his sentence for the conviction. The bill provides that such person may not be released or discharged from inpatient hospitalization except into the custody of the correctional facility where he will serve his sentence and that the time the person is committed is not deducted from the length of his sentence. The bill also provides that the person in charge of a correctional facility must file a petition for the hospitalization of any person incarcerated in such facility if a court determines that such person requires inpatient hospitalization after being acquitted by reason of insanity for an offense.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Indeterminate

8. Fiscal Implications: The proposed language could result in additional individuals being committed to state mental health facilities as Not Guilty By Reason of Insanity, however the impact is expected to be low. Specifically, because this would only affect a small subset of people that are convicted of two crimes and found guilty of one crime, but not guilty by reason of insanity of the second crime, the affected population is projected to be too small to garner a significant fiscal impact.

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

10. Technical Amendment Necessary: No

11. Other Comments: None