

## **Department of Planning and Budget 2023 Fiscal Impact Statement - REVISED**

**1. Bill Number:** SB1132

<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:** Peake

**3. Committee:** Judiciary

**4. Title:** Criminal history record information; dissemination.

**5. Summary:** Allows criminal history record information to be disseminated to the Commissioner of Behavioral Health and Developmental Services for (i) individuals who are being evaluated by the Commissioner to determine the individual's sanity at the time of a criminal offense or capacity to stand trial for the purpose of placement, evaluation, treatment, or discharge planning or (ii) any individual otherwise committed to the custody of the Commissioner when, in the Commissioner's discretion, such information may be beneficial for the purpose of placement, evaluation, treatment, or discharge planning.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** See 8 below.

**8. Fiscal Implications:** This fiscal impact statement has been revised after new information was provided by the Department of Behavioral Health and Developmental Services clarifying their current access to criminal history records. However, the overall fiscal impact of this legislation does not change.

This bill clarifies that the Department of State Police may disseminate criminal history information to the Department of Behavioral Health and Developmental Services (DBHDS), at the Commissioner's request. Because this legislation is permissive and does not require the dissemination or request of information, there is no fiscal impact to the bill.

DBHDS states that the cost for each criminal history request would be \$15. In FY 2022, DBHDS admitted over 1,900 patients under forensic status, meaning a total cost of up to \$28,500 per year. However, because this legislation is permissive, the fiscal impact is limited to the number of criminal history requests that can be funded within existing resources. Because the cost systemwide is minimal, it is anticipated that this level of expense can be absorbed in existing resources.

The Department of State Police has indicated that this legislation has no fiscal impact on their operations.

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

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

**11. Other Comments:** This bill is a companion to HB2313.