

Department of Planning and Budget 2023 Fiscal Impact Statement

1. Bill Number: SB1132

House of Origin ☐ Introduced ☒ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Peake

3. Committee: Education and Health

4. Title: Criminal history record information; dissemination.

5. Summary: Clarifies that criminal history record information is to be disseminated to the Commissioner of Behavioral Health and Developmental Services or his designee for 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 when 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 bill clarifies that the Department of State Police may disseminate criminal history information to the Department of Behavioral Health and Developmental Services (DBHDS). It is assumed the Commissioner of DBHDS or designee determines when the information will be beneficial, and requests it as he deems necessary.

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.