

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 71** SLS 13RS 311  
 Bill Text Version: **REENGROSSED**  
 Opp. Chamb. Action: **w/ HSE COMM AMD**  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> May 16, 2013 8:29 AM	<b>Author:</b> BROOME
<b>Dept./Agy.:</b> Judiciary	<b>Analyst:</b> Travis McIlwain
<b>Subject:</b> Mental Health Treatment Act - Mental Health Courts	

MENTAL HEALTH RE1 SEE FISC NOTE GF EX See Note Page 1 of 1  
 Authorizes and provides for mental health courts. (8/1/13)

Proposed bill provides that each district court by rule may designate one or more divisions to preside over a mental health treatment court program to which alcohol or drug related offenses are assigned. Proposed bill provides that the judicial district is authorized to provide funding for any expenses related to the administration and operation of such a mental health court treatment program. A mental health court, which is defined in the bill as a structured judicial intervention process for mental health treatment of eligible criminal defendants that includes mental health court professionals, local social programs and intensive judicial monitoring in support of defendants. Proposed bill provides that the mental health court program may collaborate with a network of mental health treatment programs.

<b>EXPENDITURES</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	SEE BELOW					
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	SEE BELOW					
<b>Annual Total</b>						

<b>REVENUES</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

This bill may result in an indeterminable increase in state and/or local expenditures. The bill provides that each district court by rule may designate one or more divisions to preside over a mental health treatment court program to which alcohol or drug related offenses are assigned. The exact fiscal impact is indeterminable since it is not known how many judicial districts will actually create these specialized courts. The specific expenditures associated with the establishment of the mental health court are dependent upon the size and scope of the mental health court. To the extent the mental health court involves court hearings above the normal current court activity, the district courts will likely experience an increase in expenditures. However, such costs may be mitigated as it is possible that some of the cases that would have otherwise been heard in an existing division will not be transferred and heard in the mental health court.

In addition, to the extent the mental health clients in the court receive mental health treatment at a state facility, there could be an indeterminable increase in any state and/or federal costs associated with such treatment. This bill provides that the mental health court program may collaborate with a network of mental health treatment programs, which could result in an indeterminable increase in any state funded mental health treatment programs that may collaborate with the mental health court.

A mental health court is a specialized court docket (like drug courts) that focuses on individuals who have been charged with a nonviolent crime and also have a mental health illness. For **illustrative purposes**, the 22nd Judicial District Court currently has a mental health court that has 30 clients. The current cost of this court is approximately \$50,000 for 1 client administrator and funded entirely with local funds. According to the 22nd Judicial District, the mental health services these clients receive are provided by private providers (through private insurance) or state clinics (state expenditures).

For purposes of simplicity, the potential impact of this legislation is reflected above as SGF and local funds but may ultimately impact all means-of-finance. For context, the state has 48 drug courts that currently cost approximately \$16 million of which \$10 million is state general fund. The state's drug courts see approximately 2,800 clients per month.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}		<input type="checkbox"/> 6.8(F) >= \$500,000 Annual Fiscal Cost {S}
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

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