

NOTE: As provided in LFC policy, this report is intended for use by the standing finance committees of the legislature. The Legislative Finance Committee does not assume responsibility for the accuracy of the information in this report when used in any other situation.

Only the most recent FIR version, excluding attachments, is available on the Intranet. Previously issued FIRs and attachments may be obtained from the LFC office in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR: Beam DATE TYPED: 02/7/01 HB 128/aHJC
 SHORT TITLE: Forensic Intervention for the Mentally Ill SB _____
 ANALYST: Esquibel

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
	\$ 970.0			Recurring	GF

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Relates to Appropriation in The General Appropriation Act _____

SOURCES OF INFORMATION

Administrative Office of the District Attorneys
 Department of Public Safety
 Department of Health did not respond

SUMMARY

Synopsis of HJC Amendment

The House Judiciary Committee amendments to House Bill 128 remove the requirement for the Department of Health to specifically contract with forensic intervention consortia, and specify that services are to be provided for adults with mental illness.

Synopsis of Original Bill

House Bill 128 appropriates \$970.0 from the general fund to the Department of Health (DOH) for the purpose of contracting with forensic intervention consortia for services for adults who would otherwise be incarcerated.

FISCAL IMPLICATIONS

The appropriation of \$970.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY2002 shall revert to the general fund.

House Bill 128/aHJC -- Page 2

DOH requested as a “new initiative” or special appropriation \$9.1 million in general fund or some other revenue such as tobacco funds in FY02 to fund jail diversion and other community-based services. Neither the LFC nor Executive budgets included funding for these items at this time.

The Administrative Office of the District Attorneys indicates the specific purpose of the appropriation is not clear and the specific purpose for which the funds should be clarified.

TECHNICAL ISSUES

The Department of Public Safety notes Section 31-9-4 provides for provision of psychological services by the Corrections Department if a defendant is convicted with a finding of mental illness. Sections 31-20-03 - 31-20-06 authorized referrals for mental health diagnosis prior to sentencing, and for mandatory psychiatric treatment as a condition of a suspended sentence. Passage of HB128 might required coordination between DOH, the courts and the Corrections Department.

RAE/ar/njw