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FISCAL IMPACT REPORT

SPONSOR Papen **ORIGINAL DATE** 2/08/07
LAST UPDATED 2/20/07 **HB** _____
SHORT TITLE Dona Ana Jail Diversion Project **SB** 846/aSJC
ANALYST Propst

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	\$180.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Health (DOT)

Department of Finance and Administration (DFA)

Human Services Department (HSD)

Public Defenders Department (PDD)

SUMMARY

Synopsis of SJC Amendment

The Senate Judiciary Committee amendment strikes “local government division of the department of finance and administration” and inserts “behavioral health services division of the department of health.”

Synopsis of Original Bill

Senate Bill 846 appropriates \$180.0 to the Local Government Division to support a jail diversion project for nonviolent, mentally ill misdemeanor detainees in Dona Ana County.

FISCAL IMPLICATIONS

The appropriation of \$180.0 contained in this bill is a recurring expense to the General Fund. Any unexpended or unencumbered balance remaining at the end of FY08 shall revert to the General Fund.

SIGNIFICANT ISSUES

The Department of Health, Behavioral Health Services Division currently contracts for "Jail Diversion Services" with appropriations from the Executive Budget that fund these services in the Las Cruces and Roswell areas.

Approximately \$90.0 was allocated for each of these two areas in 2006.

ADMINISTRATIVE IMPLICATIONS

DOH, DFA and HSD note that, while DFA is a member of the Interagency Behavioral Health Purchasing Collaborative, historically it is not a purchaser of mental health treatment or jail diversion services. The Behavioral Health Services Division, which historically has been the purchaser of jail diversion services for people with mental illness, would be a more suitable location for this appropriation.

TECHNICAL ISSUES

Language in the appropriations state that the appropriation is to support a "jail diversion" project for mentally ill "detainees". The wording detainees and jail diversion may be conflicting. According to Department of Corrections and Department of Health, detainees refer to incarcerated individuals and jail diversion refers to clients that may receive sentencing that may not include incarcerated individuals.

WEP/nt:csd