

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING MATTERS RELATED TO THE LOCATION WHERE A COMPETENCY EVALUATION IS CONDUCTED, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS.

Prime Sponsors: Representative Young  
Senator Grantham

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**Fiscal Impact of Bill as Amended to Date**

The most recent Legislative Council Staff Fiscal Note (attached) reflects the fiscal impact of the bill as of 03/28/16.

<b>XXX</b>	<b>No Change:</b> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	<b>Update:</b> Fiscal impact has changed due to <i>new information or technical issues</i>
	<b>Update:</b> Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	<b>Non-Concurrence:</b> JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

**Amendments in This Packet for Consideration by Appropriations Committee**

<b>Amendment</b>	<b>Description</b>
L.001	Bill Sponsor amendment - does not changes fiscal impact

**Current Appropriations Clause in Bill**

The bill includes an appropriation clause for FY 2016-17 that:

- Shifts \$368,000 General Fund from the Judicial Department to the Department of Human Services;
- Eliminates an appropriation of \$368,000 reappropriated funds to the Department of Human Services; and
- Appropriates \$107,076 General Fund to the Department of Human Services (based on the assumption that the Department will require an additional 1.8 FTE).

**Description of Amendments in This Packet**

**L.001** Bill Sponsor amendment **L.001** (attached) makes two changes to the bill:

- Adds a statement to the provision concerning court orders for a competency evaluation requiring the court to release the defendant upon bond if the defendant is otherwise eligible for bond; and
- Clarifies that the court may order an inpatient competency evaluation if the court finds that an inadequate *competency* (rather than "forensic") evaluation and report have been completed

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or two or more conflicting *competency* (rather than "forensic") evaluations and reports have been completed.

Joint Budget Committee and Legislative Council Staff agree that this amendment does not affect the fiscal impact of the bill.

### Points to Consider

#### *General Fund Impact*

The Joint Budget Committee (JBC) has proposed a budget package for FY 2016-17 based on the March 2016 Legislative Council Staff revenue forecast. The JBC has included as part of its FY 2016-17 budget package a \$107,076 General Fund appropriation for implementation of this bill.