

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**April 27, 2015**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB225** by Guillen (Relating to the prescription, administration, and possession of certain opioid antagonists for the treatment of a suspected overdose and a defense to prosecution for certain offenses involving controlled substances and other prohibited drugs, substances, or paraphernalia for defendants seeking assistance for a suspected overdose.),  
**As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would amend various sections of the Health and Safety Code as they relate to the prosecution of certain offenses involving controlled substances and prohibited drugs, substances, or paraphernalia. Under the provisions of the bill, requesting emergency medical assistance, remaining on the scene until medical assistance arrives, and cooperating with medical assistance and law enforcement personnel in response to the possible controlled substance overdose of the person or another would provide for a defense to prosecution.

The bill would add a new chapter to the Health and Safety Code that would authorize the prescription, distribution, possession, and administration of opioid antagonists in certain circumstances. The bill would provide authority to issue grants to the Health and Human Services Commission and the Office of the Governor. The Department of State Health Services indicates that any rulemaking activities required to implement the bill could be accomplished using existing staff and resources. Based on the LBB's analysis of the Health and Human Services Commission and the Office of the Governor, costs associated with grant-making activities related to prevention and education could be reasonably absorbed by the agencies. This analysis assumes the provisions of the bill addressing felony sanctions for criminal offenses would not result in a significant impact on state correctional agencies.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 301 Office of the Governor, 405 Department of Public Safety, 529 Health and Human Services Commission, 537 State Health Services, Department of

**LBB Staff:** UP, KJo, WP, ADe, VJC, LBe, ESi