

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 30, 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.), **Committee Report 2nd House, Substituted**

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 during an ongoing medical emergency, 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 in certain circumstances. In addition, the bill would provide for a defense to prosecution if the actor was a victim of a possible overdose for which emergency medical assistance was requested during an ongoing medical emergency in certain circumstances.

The bill would also 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. This analysis assumes the bill would not result in a significant increase in individuals seeking an opioid antagonist. The bill would provide authority to the Health and Human Services Commission to issue grants for drug prevention, education and certain projects. It is anticipated that these provisions could be implemented using existing staff and resources. 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 fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 301 Office of the Governor, 529 Health and Human Services Commission, 537 State Health Services, Department of

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