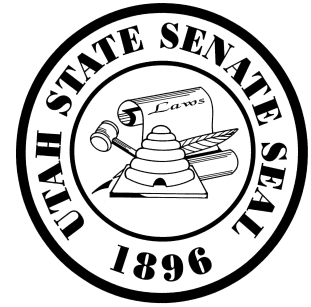




Fiscal Note

H.B. 476

2026 General Session
 Insanity Defense Amendments
 by Moss, Carol S.



General, Income Tax, and Uniform School Funds

JR4-4-101

	Ongoing	One-time	Total
Net GF/ITF/USF (rev.-exp.)	\$(1,310,400)	\$518,300	\$(792,100)

State Government

UCA 36-12-13(2)(c)

Revenues	FY 2026	FY 2027	FY 2028
Dedicated Credits Revenue	\$0	\$261,500	\$261,500
Total Revenues	\$0	\$261,500	\$261,500

Enactment of this legislation could increase in dedicated credit revenue to the Attorney General by \$261,500 ongoing beginning in FY 2027.

Expenditures	FY 2026	FY 2027	FY 2028
Dedicated Credits Revenue	\$0	\$261,500	\$261,500
General Fund	\$0	\$1,310,400	\$1,310,400
General Fund, One-time	\$0	\$(518,300)	\$0
Total Expenditures	\$0	\$1,053,600	\$1,571,900

Enactment of this legislation could cost the Department of Health and Human Services (DHHS) from the General Fund, \$616,900 in FY 2027 and \$1,241,900 in FY 2028 for operational, personnel costs, and evaluation costs (for approximately 50 percent of eight new cases using the insanity defense) associated with the commitment of approximately two new patients each year found not guilty by reason of insanity (NGRI) at the Utah State Hospital. Enactment of this legislation could also cost DHHS, \$261,500 ongoing from the General Fund, beginning in FY 2027, for legal representation from the Attorney General Office (AGO). for approximately 50 percent of eight new cases using the insanity defense.

Enactment of this legislation could also cost the (AGO), \$261,500 ongoing from dedicated credits, beginning in FY 2027, for legal representation costs for DHHS. Additionally, this could cost the Courts \$4,200 ongoing from the General Fund, beginning in FY 2027, for court proceedings/hearings which they report that they can absorb. Enactment of this legislation could also reduce annual General Fund costs due to fewer individuals being incarcerated and shift health services from within the prison to the State Hospital as follows: 1. Corrections - \$152,700 annually; and 2. DHHS - Correctional Health Services - \$45,200. This fiscal note assumes that there would be approximately two new successful NGRI defenses annually, and thus two new individuals being committed in the Utah State Hospital (approximately \$845/person/day) instead of the state prison's mental health unit (approximately \$135/person/day). Thus, each additional successful NGRI defense would result in a net cost to the state of approximately \$259,200 annually from the General Fund.

	<i>FY 2026</i>	<i>FY 2027</i>	<i>FY 2028</i>
Net All Funds	<u>\$0</u>	<u>\$(792,100)</u>	<u>\$(1,310,400)</u>

Local Government UCA 36-12-13(2)(c)

Enactment of this legislation could cost county governments approximately \$120,000 annually in litigation costs for new cases in which the insanity defense is claimed.

Individuals & Businesses UCA 36-12-13(2)(c)

Enactment of this legislation likely will not result in direct expenditures from tax or fee changes for Utah residents and businesses.

Regulatory Impact UCA 36-12-13(2)(d)

Enactment of this legislation likely will not change the regulatory burden for Utah residents or businesses.

Performance Evaluation JR1-4-601

This bill creates a new program or significantly expands an existing program. For a list of questions lawmakers might ask to improve accountability for the proposed program, please see: <https://budget.utah.gov/newprogram>

Notes on Notes

Fiscal explanations estimate the direct costs or revenues of enacting a bill. The Legislature uses them to balance the budget. They do not measure a bill's benefits or non-fiscal impacts like opportunity costs, wait times, or inconvenience. A fiscal explanation is not an appropriation. The Legislature decides appropriations separately.