

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 12, 2005

TO: Honorable David Swinford, Chair, House Committee on State Affairs

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB3392 by Villarreal (Relating to parental consent before an abortion may be performed on certain minors; providing penalties.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would authorize a physician to perform an abortion on an unemancipated minor (1) with the consent of (rather than the notification to) the minor's parent, managing conservator, or guardian; (2) with the consent of the minor's grandparent, step-parent, sibling over the age of 25, or other adult relative within the second degree of consanguinity if the minor has not resided with her parent, managing conservator, or guardian for at least the last six months; (3) if the minor's physician concludes that she has had at least one live birth prior to the current pregnancy, or (4) if the minor is authorized to consent by specified trial and appellate courts.

The Department of State Health Services (DSHS) does not fund abortions for minors, but under Chapter 33, Family Code, pays court costs, court reporters' fees, and the fees paid to attorneys ad litem and guardians ad litem who participate in judicial bypass procedures. DSHS indicates that requiring parental consent as opposed to notification may cause more minors to seek judicial bypasses and could result in increased costs at DSHS. However, DSHS does not anticipate that this would be a significant increase, and it, along with any costs to revise informational material and physician certification forms, could be absorbed within existing resources.

It is assumed that any potential costs at the Department of Family and Protective Services and the Board of Medical Examiners could be absorbed within existing resources.

Local Government Impact

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

Source Agencies: 503 Board of Medical Examiners, 530 Department of Family and Protective Services, 537 Department of State Health Services

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