

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 23, 2013

TO: Honorable Byron Cook, Chair, House Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3302 by Krause (Relating to the regulation of abortion procedures; providing penalties.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 33 of the Family Code, Chapter 22 of the Government Code, and Chapter 164 of the Occupations Code relating to the regulation of abortion procedures and providing penalties. The bill would restrict physicians from providing or attempting to provide an abortion to an un-emancipated minor unless written consent of the minor's parent, managing conservator, or legal guardian is obtained and 48 hours has lapsed since the written notice of the pending abortion was delivered to the place of residence of the parent of the minor. The bill would amend how a physician certifies a medical emergency necessitating providing an abortion to a minor. The bill would change the process by which a minor obtains a court order authorizing the minor to consent to an abortion without the permission or notification of her parents or a guardian. The bill would require that the guardian ad litem be a different person than the minor's attorney or attorney ad litem and that person may be from the Department of Family and Protective Services (DFPS). The bill would provide a cause of action for injunctive relief against a person who intentionally, knowingly, recklessly, or negligently violates certain provisions of the bill. The bill would require the Supreme Court to adopt rules to implement the provisions of the bill. The bill would take effect immediately if a two-thirds majority vote in both houses of the Legislature is received. Otherwise, the bill would take effect on September 1, 2013.

The Department of State Health Services, the Office of Court Administration, the Office of Attorney General, DFPS, and the Texas Medical Board indicate that the provisions of the bill can be implemented within existing resources.

Correctional Population Impact Only: For this analysis it is assumed implementing the provisions of the bill would not result in a significant impact on the programs and workload of state corrections agencies or on the demand for resources of those agencies.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General, 503 Texas Medical Board, 530 Family and Protective Services, Department of, 537 State Health Services, Department of

LBB Staff: UP, AG, CH, NB, LM, KKR