

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: HB3819 by Carter (Relating to the judicial procedure required before an abortion may be performed on a minor without notification to and consent of a parent or guardian.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Title 2 of the Family Code relating to the judicial procedure required before an abortion may be performed on a minor without notification to and consent of a parent or guardian. The bill would broaden the doctor's duty to report potential physical or sexual abuse to the Department of Family and Protective Services (DFPS) and would remove the requirement that DFPS assist the minor in making an application for a court order to consent to an abortion without obtaining the required notification and consent from a parent, managing conservator, or guardian. The bill would require that the guardian ad litem be a different person than the minor's attorney or attorney ad litem and would increase the timeframe for the court to make a ruling on the application from two days to five. Under the provisions of the bill, the clerk of the court would be required to retain the records for each case before the court in accordance with the rules for civil cases and to report information to the Office of Court Administration (OCA). The bill would require OCA to annually publish a report of these cases. The bill would require the Supreme Court to issue rules necessary to implement the provisions of the bill no later than December 15, 2013. Chapter 33 as amended would apply only to abortions performed on or after January 1, 2014. Otherwise, the bill would take effect on December 15, 2013.

OCA and DFPS indicate that the provisions of the bill can be implemented within existing resources. The Department of State Health Services indicates that the bill has no fiscal impact on the agency.

Local Government Impact

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

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 530 Family and Protective Services, Department of, 537 State Health Services, Department of

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