

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 28, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1648 by White, Molly (Relating to voluntary and informed consent to an abortion and prevention of coerced abortions; providing penalties; creating an offense.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB1648, As Introduced: a negative impact of (\$307,200) through the biennium ending August 31, 2017.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

| Fiscal Year | Probable Net Positive/(Negative) Impact to General Revenue Related Funds |
|-------------|--|
| 2016 | (\$307,200) |
| 2017 | \$0 |
| 2018 | \$0 |
| 2019 | \$0 |
| 2020 | \$0 |

All Funds, Five-Year Impact:

| Fiscal Year | Probable (Cost) from General Revenue Fund 1 | Probable (Cost) from Federal Funds 555 |
|-------------|---|--|
| 2016 | (\$307,200) | (\$76,800) |
| 2017 | \$0 | \$0 |
| 2018 | \$0 | \$0 |
| 2019 | \$0 | \$0 |
| 2020 | \$0 | \$0 |

Fiscal Analysis

The bill would require a physician to notify a woman seeking an abortion of her right not to be coerced, have the woman certify on a form developed by the Department of State Health Services (DSHS) that she has not been coerced, and if the woman has been coerced, report this to the local

law enforcement agency and (if the woman is a minor) to the Department of Family and Protective Services (DFPS). The bill would amend the definition of child abuse to include coercing or forcing a child to have or seek an abortion. The bill would require DFPS to investigate allegations of coercion of minors within 12 hours of getting notice of the coercion. 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, 2015.

Methodology

DFPS indicates that the IMPACT system and reports will need to be modified for the agency to meet the new 12-hour investigation requirement. It is assumed that DFPS will have a cost of \$384,000 in All Funds in fiscal year 2016 for modification to the IMPACT system. DSHS indicates that the provisions of the bill affecting the agency can be implemented within existing state resources.

Technology

The technology impact is assumed to be \$384,000 in fiscal year 2016 for modification of the DFPS IMPACT system.

Local Government Impact

The bill would create a Class A misdemeanor. A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both. Costs associated with enforcement, prosecution, and confinement could likely be absorbed with existing resources. Revenue from fines imposed and collected is not anticipated to have a significant fiscal impact.

Source Agencies: 529 Health and Human Services Commission, 530 Family and Protective Services, Department of, 537 State Health Services, Department of

LBB Staff: UP, AG, WP, CH, RC, LR, KVe