

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATURE 1st CALLED SESSION - 2017

July 20, 2017

TO: Honorable Charles Schwertner, Chair, Senate Committee on Health & Human Services

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB4 by Schwertner (Relating to prohibiting certain transactions between a governmental entity and an abortion provider or affiliate of the provider.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would prohibit a governmental entity from entering into a taxpayer resource transaction with abortion providers including licensed abortion facilities, certain ambulatory surgical centers, or an affiliate of these providers. Taxpayer resource transactions deemed, by the executive commissioner of the Health and Human Services Commission (HHSC) with written confirmation from the Attorney General, as required by federal law would be excluded from the prohibition. The Attorney General would be permitted to enjoin a violation of the prohibition on behalf of the state. The bill would take effect immediately upon a two-thirds vote from all members of each house or, if such a vote is not received, on the 91st day after the last day of the legislative session.

It is assumed that the prohibition would not apply to Medicaid. If the prohibition were applied to Medicaid, it could conflict with federal requirements and result in penalties including the loss of federal matching funds for Medicaid.

Based on the analysis provided by HHSC, the Department of State Health Services, and the Office of Attorney General, the provisions of the bill can be implemented within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 302 Office of the Attorney General, 529 Health and Human Services Commission, 537 State Health Services, Department of

LBB Staff: UP, AG, LR, RGU, KCA