

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**April 11, 2017**

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

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2858** by Burns (Relating to human trafficking signs at abortion facilities and offenses associated with human trafficking and coerced abortion; increasing criminal penalties.),  
**As Introduced**

**No significant fiscal implication to the State is anticipated except for an indeterminate impact associated with amending the Penal Code, as described below.**

The bill would require abortion facilities to display a sign related to human trafficking, following certain criteria. The executive commissioner of the Health and Human Services Commission (HHSC) would be required to adopt any rules necessary to implement provisions of the bill related to displaying human trafficking signs by December 1, 2017.

The bill would amend the Penal Code related to assaults and classify the intentional or knowing use of force or threat of force to compel a woman to receive an abortion, as a felony of the second degree. Additionally, the bill would amend the Penal Code related to human trafficking and classify an offense that results in the death of an unborn child of a person who is trafficked as a felony of the first degree.

According to analysis provided by HHSC and the Office of Court Administration, any costs associated with implementing the provisions of the bill, related to adopting rules or court administration, can be absorbed within existing agency resources.

The probable impact of implementing the bill's provisions which amend the Penal Code relating to assault cannot be determined due to the unavailability of reliable data related to the specific circumstances of an assault specified in the bill, which would create a punishment enhancement for the offense. To the extent that the number of assaults committed that involve intentional or knowing use of force or threat of force to compel a woman to receive an abortion is significant, costs would increase commensurately. The probable impact of the bill as it relates to human trafficking punishments under the Penal Code also cannot be determined, due to the unavailability of reliable data related to the specific circumstances of human trafficking that result in the death of an unborn child.

**Local Government Impact**

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

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 529 Health and Human Services Commission, 537 State Health Services, Department of, 696 Department of Criminal Justice

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