LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 18, 2019

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: **SB22** by Campbell (Relating to prohibiting certain transactions between a governmental entity and an abortion provider or affiliate of the provider.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would prohibit a governmental entity from entering into a taxpayer resource transaction or contract 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.

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 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

LBB Staff: WP, CMa, LR, AKi