

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

March 14, 2021

TO: Honorable Bryan Hughes, Chair, Senate Committee on State Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB1173 by Hancock (Relating to the regulation of abortion, including information regarding perinatal palliative care and prohibiting discriminatory abortions; authorizing disciplinary action; providing a civil remedy; creating a criminal offense.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code by adding a provisions requiring the Health and Human Services Commission (HHSC) to develop perinatal palliative care information and for health care providers to disseminate the related information under certain situations as outlined in the bill.

The bill would also amend the Health and Safety Code to prohibit abortion based on the race, ethnicity, sex, or disability of the woman's pregnancy, including a probability of diagnosis that a disability is present, as well as prohibit a person from performing an abortion in the third trimester of a pregnancy that has a severe and irreversible abnormality, identified by reliable diagnostic procedures, unless it is necessary due to a medical emergency.

The bill creates a related Class A misdemeanor offense, and physicians who violates certain provisions may have their physician's license suspended or revoked. The bill would also allow one to pursue a civil action against a person who violates this section.

HHSC and the Texas Medical Board indicates any cost to implement provisions of the bill would be minimal and can be absorbed within available resources.

Local Government Impact

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 within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal implication.

Source Agencies: 503 Texas Medical Board, 529 Hlth & Human Svcs Comm

LBB Staff: JMc, SMat, JLi, AKi