

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 111** SLS 17RS 166
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 23, 2017	8:57 AM	Author: MIZELL
Dept./Agy.: Statewide		Analyst: Patrice Thomas
Subject: Proof of ID from Parent of Minors Seeking Abortion		

ABORTION RE SEE FISC NOTE LF EX Page 1 of 1

Requires proof of identification from parents for an unemancipated minor child to obtain an abortion based upon parental consent and requires court-ordered counseling if it is suspected that the minor is a victim of criminal sexual exploitation. Before any unemancipated minor obtains an abortion, the proposed law requires the following: (1) a notarized document signed by the mother, father, legal guardian, or tutor of the minor, which shall state whether the parent is the lawful mother, the lawful father, the legal guardian, or the lawful tutor of the minor; and (2) provides a copy of a valid and unexpired driver's license or a government issued identification card. Proposed law provides for penalties of fraudulent parental consent as well as aids and abets by an employee of abortion facility. Under present law, minors seeking abortions through a court order (known as a judicial bypass) may be ordered by the judge to seek counseling from the Dept. of Health (LDH) or the Dept. of Children & Family Services (DCFS). Proposed law authorizes the court to appoint a certified child advocate attorney. Proposed law provides for counseling to determine whether the minor has been coerced to have an abortion, and if the pregnancy is the result of a sexual crime against a child, human trafficking or commercial sexual exploitation. If so, proposed law provides the courts to issue any appropriate protective orders or a court-appointed special advocate.

EXPENDITURES	2017-18	2018-19	2019-20	2020-21	2021-22	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

REVENUES	2017-18	2018-19	2019-20	2020-21	2021-22	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on state governmental expenditures as a result of this measure. However, the proposed legislation may result in an indeterminable increase in expenditures to local governing authorities if any person is convicted of giving fraudulent parental consent so a minor child may have an abortion or an employee of an abortion facility that knowingly aids and abets with fraudulent parental consent. The proposed legislation provides a maximum imprisonment term of 6 months for a person convicted of giving fraudulent parental consent, and a maximum imprisonment term of 2 years for an employee of an abortion facility that knowingly aids and abets in fraudulent parental consent. To the extent persons are convicted, they may be admitted to the custody of a local law enforcement entity, which would represent a cost increase for local governing authorities. The increase would depend on the number of persons convicted, the length of sentence for offenders, and the cost per day for a local law enforcement agency to incarcerate an offender. The number of persons who may be convicted under this measure is unknown.

This measure provides that the judge in a judicial bypass may utilize a counselor to determine if the minor has been coerced into having an abortion, or if the pregnancy is the result of a sexual crime against a child, or if there was human trafficking or commercial sexual exploitation. Information provided by the Supreme Court, the Department of Health (LDH) and the Department of Children & Family Services (DCFS) indicates counseling is currently provided by the state agencies to minors that apply to the court. Therefore, there is no anticipated direct material effect on governmental expenditures as a result of mandating counseling.

REVENUE EXPLANATION

There is no anticipated direct material effect on state revenues as a result of this measure. However, any revenue generated through the imposition of criminal penalties as a result of fraudulent parental consent is anticipated to accrue to local government entities. Criminal penalties are \$500 per occurrence, or a 6 month imprisonment, or both for a person giving fraudulent parental consent and \$1,000 per occurrence, or 2 years imprisonment, or both for an employee of an abortion facility that knowingly aids and abets with fraudulent parental consent.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

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