

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 33** SLS 16RS 83

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 11, 2016 12:22 PM	Author: GATTI
Dept./Agy.: Correction	Analyst: Monique Appeaning
Subject: Aborted Fetal Organs and Body Parts	

CRIME/PUNISHMENT

EG INCREASE GF EX See Note

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Prohibits the harvest, collection, sale, or transport of organs or body parts of aborted babies. (8/1/16)

Proposed law provides that no person may knowingly and for money, including but not limited to fees for storage or handling, any payments for reimbursement, repayments, or any other consideration: (1) Collect, harvest, sell, receive, or otherwise transfer or acquire a fetal organ or body part resulting from an induced abortion, (2) Transport with the intent to sell or otherwise transfer a fetal organ or body part resulting from an induced abortion, or (3) Transport a fetal organ or body part resulting from an induced abortion that has been acquired by any person via any transaction prohibited by proposed law. Proposed law provides certain definitions. Proposed law provides that any person who violates the prohibitions contained in proposed law is to be sentenced to a term of imprisonment at hard labor for not less than 10 nor more than 50 years, at least 10 years of which must be served without benefit of probation or suspension of sentence, and may, in addition, be required to pay a fine of not more than \$50,000. Proposed law shall not apply to donations of fetal body parts utilized for stem cell research and umbilical cord blood. Effective August 1, 2016.

EXPENDITURES	2016-17	2017-18	2018-19	2019-20	2020-21	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						
REVENUES	2016-17	2017-18	2018-19	2019-20	2020-21	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

This legislation may result in an indeterminable increase in state general fund expenditures if a defendant is charged with: 1) collecting, harvesting, selling, receiving, or otherwise transferring or acquiring a fetal organ or body part resulting from an induced abortion; 2) transporting with the intent to sell or otherwise transfer a fetal organ or body part resulting from an induced abortion; 3) transport a fetal organ or body part resulting from an induced abortion that has been acquired by any person via any transaction prohibited by proposed law is to be sentenced to hard labor for a minimum of 10 years or maximum of 50 years of which 10 years must be served without the benefit of probation or suspension of sentence.

SGF expenditures will increase by \$51.68 per offender per day if offenders are housed in state facilities and by \$24.39 for state offenders housed in local facilities. Offenders sentenced to the custody of the Department of Public Safety and Corrections for one year would increase SGF expenditures by \$18,863 (\$51.68 per day x 365 days) if housed in a state facility and \$8,902 (\$24.39 per day x 365 days) housed in local facilities. Approximately 50% of state offenders are housed in state facilities and approximately 50% of state offenders are housed in local facilities.

To the extent an offender serves the minimum of ten (10) years, the cost in a state facility would be \$188,630 (1 offender x \$18,863 per year x 10 years) or \$89,020 (1 offender x \$8,902 per year x 10 years) if a state offender is housed in a local facility.

REVENUE EXPLANATION

The proposed legislation may result in an indeterminable increase in local funds revenue as a result of potential fines for harvesting, selling, receiving, acquiring or transporting fetal organs or body parts resulting from an induced abortion. The maximum fine assessed is \$50,000. The potential revenue will accrue to the local governing authority.

Senate Dual Referral Rules House

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| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

Evan Brasseaux

Evan Brasseaux
Staff Director