

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



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

<b>Date:</b> April 25, 2017 1:40 PM	<b>Author:</b> MIZELL
<b>Dept./Agy.:</b> Statewide	<b>Analyst:</b> Patrice Thomas
<b>Subject:</b> Proof of ID from Parent of Minors Seeking Abortion	

ABORTION OR 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. If fraudulent parental consent is given, proposed law imposes penalties of \$1,000 per occurrence, or 2 years imprisonment, or both. Proposed law excludes minors from any penalties. 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 requires the counseling to be mandatory. Proposed law mandates that 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 or commercial sexual exploitation. If so, proposed law provides the courts to issue any appropriate temporary restraining orders.

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

<b>REVENUES</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>5 -YEAR TOTAL</b>
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Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	SEE BELOW					
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

The proposed legislation may result in an indeterminable increase in local expenditures if any person is convicted of giving fraudulent parental consent so a minor child may have an abortion. Under this measure, if any person gives a fraudulent parental consent, that person shall be subject to criminal penalties of \$1,000 per occurrence, or 2 years imprisonment, or both.

Furthermore, this measure requires the judge in a judicial bypass to mandate counseling in order 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 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 \$1,000 per occurrence, or 2 years imprisonment, or both.

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}

*Evan Brasseaux*  
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**Staff Director**