

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



Fiscal Note On: **SB 325** SLS 18RS 649  
 Bill Text Version: **ENGROSSED**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> April 24, 2018	5:48 PM	<b>Author:</b> MILKOVICH
<b>Dept./Agy.:</b> Statewide		<b>Analyst:</b> Tanesha Morgan
<b>Subject:</b> Abortion clinics		

ABORTION EG SEE FISC NOTE GF EX Page 1 of 1  
 Provides relative to abortion clinics and services

Proposed law provides that, under certain circumstances, a district attorney, the attorney general or the governor may petition the court for an injunction to cease and desist all services at an outpatient abortion clinic, revoke a clinic's license, and cause the clinic to be permanently closed. Proposed law provides that a district attorney, the attorney general or the governor shall have standing to review, inspect, or conduct discovery of certain forms at an outpatient abortion clinic. Proposed law provides that any owner or operator of an outpatient clinic that loses its license pursuant to provisions of proposed law or who has been convicted of certain crimes shall be permanently barred from owning, operating, or having ownership interest in an outpatient abortion clinic in Louisiana. Proposed law provides that destruction of certain documents shall be considered a criminal offense. Proposed law provides that performance of an abortion in an unlicensed facility shall be considered a criminal offense. Proposed law provides that employees of LDH shall be subject to malfeasance in office for failure to take action against an outpatient abortion clinic for violation of licensing rules and regulations.

<b>EXPENDITURES</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
<b>Annual Total</b>						
<b>REVENUES</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</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	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

Proposed law may result in an indeterminable increase in expenditures to the Department of Public Safety and Corrections (DPSC) or parish jails to the extent that a person is convicted of a crime as a result of this measure and is sentenced to imprisonment. Proposed law provides that certain acts (see NOTE below) shall be considered criminal offenses, which may be punishable by a maximum of 5 years of imprisonment with or without hard labor.

DPSC realizes SGF expenditures of \$54.21 per offender per day if an offender is housed in a state facility or \$24.39 for a state offender housed in a local facility. An offender sentenced to the custody of the Department of Public Safety and Corrections - Correction Services for one year creates SGF expenditures of \$19,786.65 (\$54.21 per day x 365 days) if housed in a state facility and \$8,902.35 (\$24.39 per day x 365 days) if housed in a local facility. Approximately 50% of state offenders are housed in state facilities and approximately 50% of state offenders are housed in local facilities.

NOTE: Proposed law expands present law (RS 14:132) to create a criminal offense of destruction of documents and forms required by the "Woman's Right to Know Law" (RS 40:1061.17). The maximum imprisonment term imposed for violation of RS 14:132 is five years with or without hard labor.

Proposed law expands present law (RS 14:32.9) to create a criminal offense of performing an aborting in an unlicensed facility. The maximum imprisonment term imposed for violation of RS 14:32.9 is five years with hard labor.

Proposed law provides that Louisiana Department of Health (LDH) employees that fail to take action against an outpatient abortion clinic for violating the "Outpatient Abortion Facility Licensing Law" shall be subject to malfeasance in office (RS 14:134). The maximum imprisonment term imposed for violation of RS 14:134 is five years with or without hard labor.

**REVENUE EXPLANATION**

The proposed law provides that certain acts shall be considered criminal offenses, for which a maximum criminal fine of \$5,000 may be imposed. The LFO cannot anticipate the amount of fines that may be imposed and collected as a result of this measure.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>
<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**