

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



Fiscal Note On: **HB 813** HLS 22RS 1201

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> May 4, 2022	8:31 AM	<b>Author:</b> MCCORMICK
<b>Dept./Agy.:</b> Statewide		<b>Analyst:</b> Tanesha Morgan
<b>Subject:</b> Abortion		

ABORTION OR INCREASE GF EX See Note  
Enacts the Abolition of Abortion in Louisiana Act of 2022

Proposed law amends the present law definition to define "person" as including a human being from the moment of fertilization. Proposed law amends present law to define "unborn child" as an individual human being from fertilization until birth. Proposed law amends present law related to the defense of justifiable homicide to exclude murder where the victim is not an unborn child. Proposed law provides that current criminal law related to homicide and assault and battery to be applied based on the definitions of "person" and "unborn child" as provided in proposed law. Proposed law provides that without limiting prosecutorial discretion, La. and all political subdivisions of the state shall enforce the provisions of proposed law without regard to the opinions and judgments of the Supreme Ct. of the U.S. in Roe v. Wade, 410 U.S. 113(1973), and its judicial progeny, past and future. Proposed law provides that existing provisions relating to prenatal homicide, assault, or battery, or regulating abortion or abortion facilities are not repealed but are superseded to the extent that the provisions conflict with or are inconsistent with proposed law.

<b>EXPENDITURES</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
<b>Annual Total</b>						
<b>REVENUES</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>2026-27</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	SEE BELOW					
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b>\$0</b>
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

Proposed law criminalizes abortion. The exact fiscal impact of the passage of this legislation is indeterminable, since the legislation creates a new crime and it is not known how many individuals will be convicted of the crime. However, any offender sentenced to the custody of DPS&C increases SGF expenditures by \$26.39 per day per offender in adult local housing and \$83.23 per day per offender in a state facility. Any offender convicted of these crimes would cost DPS&C \$9,632 annually (\$26.39 per day per offender x 365 days) per offender in adult local housing and \$30,379 annually (\$83.23 per day per offender x 365 days) per offender in a state facility.

**REVENUE EXPLANATION**

There may be an effect on federal revenues as a result of this measure. The LFO is researching the potential impact and will update this note once additional information is available.

Senate  
 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*  
**Evan Brasseaux**  
**Interim Deputy Fiscal Officer**