

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 989** HLS 22RS 1111

Bill Text Version: **REENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 23, 2022	5:39 PM	Author: CREWS
Dept./Agy.: Judiciary		Analyst: Tanesha Morgan
Subject: Abortions		

CHILDREN RE SEE FISC NOTE GF EX See Note Page 1 of 1
Provides relative to reporting certain information relating to minors who undergo abortions

Proposed law identifies the necessary findings of the court in its determination of whether a minor gave the necessary informed consent prior to undergoing the abortion procedure. Proposed law identifies information that shall be obtained within the consent form from the physician. Proposed law requires a pregnant minor to prove by clear and convincing evidence that she is sufficiently mature and capable of giving informed consent based on her experience level, perspective, judgment, and age. Proposed law provides that in assessing the pregnant minor's age, the court shall appoint a certified child advocate attorney if the minor is younger than the age of 15. Proposed law requires that a form created by the La. Dept. of Health be used by physicians to obtain the consent required prior to performing an abortion on a minor who is not emancipated. Proposed law establishes provisions for judicial bypass orders.

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

EXPENDITURE EXPLANATION

The proposed legislation is not anticipated to result in a material increase in SGF expenditures associated with requiring a medical and mental health evaluation with LDH or DCFS and appointing a child advocate attorney for minors who seek judicial bypass to obtain an abortion. The total cost will ultimately depend on the number of minors that seek judicial bypass to obtain an abortion, which is likely to be minimal. Act 482 of the 2021 RLS requires LDH to report the number of children that receive an abortion by judicial bypass. Based on preliminary data provided by LDH, one minor had an abortion by judicial bypass from 8/15/21 through 12/31/21.

NOTE: LDH indicates that they have sufficient staff to absorb additional workload associated with the required evaluations. DCFS indicates that if the number of evaluations is greater than can be absorbed by existing staff, they would have to contract with a provider to perform the required evaluations.

NOTE: DCFS currently covers attorney costs for children in their custody. It is unclear who is responsible for attorney costs related to civil cases for minors not in state custody.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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

Evan Brasseaux
Interim Deputy Fiscal Officer