

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 181** SLS 18RS 352
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action: **w/ HSE COMM AMD**
 Proposed Amd.:
 Sub. Bill For.:

Date: May 7, 2018	4:39 PM	Author: MILKOVICH
Dept./Agy.: Corrections		Analyst: Monique Appeaning
Subject: Abortion		

ABORTION RE1 SEE FISC NOTE GF EX See Note Page 1 of 1
 Prohibits abortions later than fifteen weeks after conception. (gov sig)

Proposed law makes it unlawful for physicians to administer or prescribe any drug, potion, medicine or any other substance to a female; or use any instrument or external force whatsoever on a female after fifteen weeks following the date of conception.

EXPENDITURES	2018-19	2019-20	2020-21	2021-22	2022-23	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	2018-19	2019-20	2020-21	2021-22	2022-23	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

Proposed law may result in an indeterminable increase in SGF expenditures in Department of Public Safety and Corrections - Corrections Services (DPSC) to the extent a physician is convicted of administering or prescribing any drug, potion, medicine or any other substance to a female or of using any instrument or external force whatsoever on a female after fifteen weeks following the date of conception. The maximum imprisonment term is ten (10) years at hard labor.

SGF expenditures will increase by \$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 DPSC for one year would create 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. Proposed law also will likely result in an indeterminable increase expenditures for local governing authorities for misdemeanor offenses.

The provisions of proposed law are contingent upon final decision of the United States Court of Appeals for the Fifth Circuit upholding the Act that originated as House Bill 1510 of the 2018 Regular Session of the Mississippi Legislature, which decision would thereby provide the authority for a state within the jurisdiction of that court of appeals to restrict abortion past fifteen weeks of gestational age.

The provisions of proposed law will be repealed in favor of the provisions of LA R.S. 40:1061, immediately upon and to the extent that the United States Supreme Court upholds the authority of the states to prohibit elective abortions on demand or by the adoption of an amendment to the Constitution of the United States of America that would restore to the state of Louisiana the authority to prohibit elective abortions.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local funds revenue if a physician is convicted of administering or prescribing any drug, potion, medicine or any other substance to a female or of using any instrument or external force whatsoever on a female after fifteen weeks following the date of conception. The maximum fine imposed is \$10,000. The potential revenue will accrue to the local governing authority.

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}

John D. Carpenter
Legislative Fiscal Officer