

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 575** HLS 21RS 637

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 21, 2021	11:26 AM	Author: FIRMENT
Dept./Agy.: Corrections		Analyst: Rebecca Robinson
Subject: Creates the Vulnerable Child Protection Act		

HEALTH/CHILDREN

OR SEE FISC NOTE GF EX

Page 1 of 1

Restricts prescribing and dispensing of certain drugs to delay puberty and prohibits withholding of certain information from the minor's parent or legal guardian

Proposed legislation creates the Vulnerable Child Protection Act. Provides that no person shall engage in, counsel, refer, or cause any practice to be performed upon a minor if the practice is performed for the purpose of altering the appearance or affirm a minor's gender or sex because perception is inconsistent with the minor's sex. Prohibits the practice of giving puberty blockers, providing testosterone to females, providing estrogen to males, performing a surgery that sterilizes an individual, performing a surgery that artificially constructs tissue with the appearance of genitalia that differs from the individual's sex, and removing any healthy or non-diseased body part or tissue. Proposed law shall not apply to a procedure to treat a minor who is born with a medically verifiable disorder of sexual development. Prohibits a nurse, counselor, teacher, principal, or other administrative personnel at a public or private school from the following: 1) encouraging or coercing a minor to withhold from his/her parent or legal guardian any information that suggest the minor's perception of the minor's gender or sex is inconsistent with the minor's sex; and 2) withholding from a minor's parent or legal guardian information related to a minor's gender or sex that is inconsistent with the minor's sex. Penalties include imprisonment, with or without hard labor, for not more than two years and a fine of not more than \$10,000.

EXPENDITURES	2021-22	2022-23	2023-24	2024-25	2025-26	5 -YEAR TOTAL
State Gen. Fd.	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	2021-22	2022-23	2023-24	2024-25	2025-26	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					
Annual Total						

EXPENDITURE EXPLANATION

There may be an indeterminable increase in SGF expenditures to the Department of Public Safety & Corrections - Corrections Services (DPS&C) if a person is convicted of violation of the Vulnerable Child Protection Act. The exact fiscal impact 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 of \$26.39 per day per offender in adult local housing and \$67.36 per day per offender in a state facility. Any offender convicted of this crime would cost DPS&C \$9,632 annually (\$26.39 per day per offender x 365 days) per offender in adult local housing and \$24,586 annually (\$67.36 per day per offender x 365 days) per offender in a state facility.

Penalties for conviction under the Vulnerable Child Protection Act include imprisonment, with or without hard labor, for not more than two years, and a fine of not more than \$10,000. The maximum expenditure to the SGF would be \$19,264 (\$9,632 x 2 years) per offender in adult local housing and \$49,172 (\$24,586 x 2 years) per offender in a state facility.

REVENUE EXPLANATION

There may be an indeterminable increase in local funds revenue as a result of potential fines if a person is convicted of this new crime. The maximum fine is \$10,000 and the potential revenue will accrue to the local government entities.

Senate

Dual Referral Rules

House

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Alan M. Boxberger

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Staff Director