

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **SB 276** SLS 24RS 268

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 16, 2024	8:43 AM	Author: PRESSLY
Dept./Agy.: Corrections		Analyst: Daniel Druilhet
Subject: Criminal Abortion by Means of Fraud		

CRIME/PUNISHMENT

EG SEE FISC NOTE GF EX See Note

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Creates the crime of coerced criminal abortion by means of fraud to prohibit a third-party from knowingly using an abortion-inducing drug to cause, or attempt to cause, an abortion on an unsuspecting pregnant mother without her knowledge or

Proposed law creates the crime of coerced criminal abortion by means of fraud; provides that whoever commits the crime of coerced criminal abortion by means of fraud shall be imprisoned for no less than 5 nor more than 10 years at hard labor, or fined no less than \$10,000 nor more than \$75,000 or both; provides that whoever commits the crime of coerced criminal abortion by means of fraud when the unborn child is more than 3 months of gestational age, shall be imprisoned for no less than 10 nor more than 20 years at hard labor, or fined not less than \$50,000 nor more than \$100,000, or both; provides that prosecution under the proposed law shall not be a defense against prosecution of any other provision of law, including murder or attempted murder, should an offender commit the crime of coerced criminal abortion by means of fraud and the use of an abortion-inducing drug results in death or serious bodily injury of the pregnant woman; provides that it is unlawful to attempt to perform an abortion, a late-term abortion, or attempt to cause a late-term abortion by means of an abortion-inducing drug.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	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	\$0	\$0	\$0	\$0	\$0	\$0

Annual Total

REVENUES	2024-25	2025-26	2026-27	2027-28	2028-29	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 will likely result in an indeterminable increase in SGF expenditures in the Department of Public Safety and Corrections – Corrections Services (DPS&C – CS) if a person is convicted of coerced criminal abortion by means of fraud. Proposed law assesses a penalty of imprisonment for no less than 5 nor more than 10 years at hard labor for coerced criminal abortion by means of fraud, and assesses an enhanced penalty of imprisonment of no less than 10 nor more than 20 years at hard labor for those convicted of coerced criminal abortion by means of fraud when an unborn child is 3 or more months of gestational age. The exact fiscal impact of the passage of this legislation is indeterminable, because it creates a crime, and it is not known how many people will be convicted and subject to a sentence of imprisonment as a result of its potential enactment.

For illustrative purposes, SGF expenditures will increase by \$107.60 per offender per day to the extent that an offender is convicted, sentenced, and then subsequently housed in a state facility or \$26.39 per offender per day for an offender housed in a local facility. Corrections Services reports that impacts on offender populations are anticipated to affect the number of offenders held in local facilities. Corrections Services reports that in managing its offender population, it seeks to fill all beds in state facilities first, then assigns overflow offenders to local facilities.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of potential fines for coerced criminal abortion by means of fraud. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable because the fines that would be imposed on those convicted are optional, and the amount of the fines, if imposed, may vary. The potential revenue will accrue to the local governing authority.

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}

Patrice Thomas
Deputy Fiscal Officer