

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 22, 2015

TO: Honorable Byron Cook, Chair, House Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3994 by Morrison (Relating to notice of and consent to an abortion for a minor.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would change the requirements related to the notice of and consent to an abortion for a minor. The bill would prohibit the guardian ad litem appointed for a minor's request of judicial bypass of certain requirements related to consent to abortion from also serving as the minor's attorney. The bill would remove the requirement that the court may order the state to pay for the costs associated with the attorney ad litem, guardian ad litem, the court costs for the application or appeal, and the court reporter fees associated with these cases. The bill would require the Office of Court Administration (OCA) to annually publish a report of the data submitted by county clerks on each case filed related to a minor seeking judicial bypass of certain requirements related to consent to abortion.

While there would be some savings to the state from deleting the requirement that the state pay the attorney ad litem and guardian ad litem costs, costs of the court associated with the application or appeal, and the costs of the court reporter's fees, those savings are assumed to not be significant. For example, in fiscal year 2014, the Department of State Health Services paid \$295,589 in General Revenue - Maintenance of Effort for Title V funds. Since those funds are required to be expended to receive federal Title V funds, it is anticipated that the savings will be redirected to other DSHS programs. Based on the analysis provided by the Department of Family and Protective Services, the Texas Medical Board, and OCA, it is assumed that the provisions of the bill can be implemented within existing state resources.

Local Government Impact

There would be some cost to counties from the removal of the requirement that the state pay the attorney ad litem and guardian ad litem costs, costs of the court associated with the application or appeal, and the costs of the court reporter's fees.

The Department of State Health Services spent \$345,758 in fiscal year 2012, \$366,224 in fiscal year 2013, \$295,589 in fiscal year 2014 to reimburse courts. This analysis assumes that local courts would have a comparable fiscal impact for fiscal years 2016-2020.

According to the Texas Association of Counties, Ward County reported that there would be a significant fiscal impact to comply with the provisions of the bill.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 503 Texas Medical Board, 530 Family and Protective Services, Department of, 537 State Health Services, Department of

LBB Staff: UP, AG, WP, CH, KVe