

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2997-01
Bill No.: SB 790
Subject: Abortion; Health Care; Health Care Professionals; Hospitals; Medical Procedures and Personnel; Physicians
Type: Original
Date: January 20, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Social Services**, the **Office of State Courts Administrator**, the **Department of Health and Senior Services**, and the **Department of Economic Development - Division of Professional Registration** assume this proposal would not fiscally impact their agencies.

Officials from the **Department of Corrections (DOC)** state this poposal modifies the penalty for physicians who perform abortions.

The DOC states it cannot predict the number of new commitments which may result from the creation of the offenses(s) outlined in this proposal. An increase in commitments depends on the utilization by prosecutors and the actual sentences imposed by the court.

If additional persons are sentenced to the custody of the DOC due to the provisions of this proposal, the DOC would incur a corresponding increase in operational costs through supervision provided by the Board of Probation and Parole (FY03 average of \$38.10 per offender, per day or an annual cost of \$1,150 per offender).

The DOC states supervision by the DOC through probation or incarceration would result in some

ASSUMPTION (continued)

additional costs, but DOC assumes the impact would be \$0 or a minimal amount that could be absorbed within existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal modifies the penalty for physicians who perform abortions. Currently, Section 188.080, RSMo, prohibits anyone but licensed physicians from performing abortions and imposes a penalty. This proposal modifies the penalty to state that any physician who does not have clinical privileges to provide OB/GYN care at a hospital located within 30 miles of the location at which the abortion is performed is guilty of a Class B felony.

The proposal also modifies the definition of "ambulatory surgical center" in Section 197.200, RSMo, to include "any establishment operated for the purpose of performing or inducing any second or third trimester abortions or at least five or more first trimester abortions per month".

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Social Services
Office of State Courts Administrator
Department of Economic Development
- Division of Professional Registration
Officials from the Department of Corrections
Department of Health and Senior Services

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
January 20, 2004