

FISCAL NOTE
Requested by Legislative Council
02/10/2011

Amendment to: HB 1297

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2009-2011 Biennium		2011-2013 Biennium		2013-2015 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			\$72,100		\$8,000	
Appropriations			\$72,100		\$8,000	

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

2009-2011 Biennium			2011-2013 Biennium			2013-2015 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

HB 1297 relates to the regulation of abortion. Amended Section 2: 14-02.1-02.1 a & b) adds language requirements to already produced materials on abortion, c & d) adds new requirements for material development.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Amended Section 2: 14-02.1-02.1 a) Currently requires geographically indexed materials designed to inform women of public and private agencies and services available to assist a woman through pregnancy, upon childbirth, and while the child is dependent, including adoption agencies. The publication to fulfill this requirement is in print and has been distributed.

The amended portion requires additional language stating it is unlawful to coerce a woman to undergo an abortion; a physician who performs an abortion upon a woman without her informed consent may be liable for damages; the law permits adoptive parents to pay costs of prenatal care, childbirth and neonatal care; there are many public and private agencies able to help a woman carry a child to term and assist after the child is born; the state of North Dakota strongly urges the contact of one or more agencies before making a final decision about abortion and; the law requires the physician give opportunity to call agencies before you undergo an abortion. This amendment will require updating of the current publication, printing and distribution (postage) of the new publication.

Amended Section 2: 14-02.1-02.1 b) Currently requires materials printed in a booklet format, designed to inform women of the probable anatomical and physiological characteristics of an unborn child at two-week gestational increments, using color pictures for the majority of images. This booklet was produced in 1998 and reprinted in 2001. Due to content stability, reprinting has not been necessary. The booklet is distributed as needed/ requested.

The amended portion requires color photographs of the development of an unborn child and removes the language stating the majority of pictures must be in color. Additional language to the booklet includes descriptions about brain and heart function, the presence of external members and internal organs during the stages of development and any relevant information on the possibility of the unborn child's survival. This amendment will require updating of the current publication, and printing and distribution (postage) of the new booklet.

Amended Section 2: 14-02.1-02.1 c) Adds new requirements for material development including information on support obligations of the father; and how paternity establishment and child support services and enforcement may

be obtained. Costs associated with this include professional fees (contractor), printing and distribution (postage).

Amended Section 2: 14-02.1-02.1 d) Adds new requirements for material development including information describing the various surgical and drug-induced methods of abortion as well as the immediate and long-term medical risks commonly associated with each abortion. Costs associated with this include professional fees (contractor), printing and distribution (postage).

There are no categorical grant funds within the department that could accommodate these projects without having to eliminate existing services and/or projects.

Ongoing costs of printing and distribution will be required in the 2013-2015 biennium.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

2011-2013

Postage: \$2,600 - required for mailing the publications.

Printing: \$52,000 - required for printing the publications. (see following breakdown of printing costs)

Section 2.14-02.1-02.1-

a) This is a current publication and is updated on a regular schedule. The amended requirements can be included with the next revision, \$0.

b) This is a current publication that is not scheduled for reprinting because sufficient quantity is on hand. Reprinting the booklet will be necessary to meet the new requirements. Federal funds used to print the original document have been reduced and cannot accommodate this reprinting without eliminating existing services and/or projects. Because this information is unlikely to change, printing a large quantity of 25,000 booklets lasting 8-10 years would be cost effective. \$50,000;

c&d) Printing two new brochures \$2,000.

Professional Fees: \$17,500

Section 2.14-02.1-02.1 b, c, & d, includes amount for a contractor and graphic artist to development and design materials. \$50/hr x 300 hours for contractor and \$50/hr x 50 hrs for graphic designer.

2013-2015

Postage: \$3,000 - required for mailing publications.

Printing: \$5,000 - the two new brochures developed in 2011-13 will require updating/reprinting to stay current.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

Funding for this project is not included in the Department's appropriation bill (HB 1004). The Department will need a general fund appropriation to carry out this project.

Name:	Kathy J. Albin	Agency:	Health Dept.
Phone Number:	328.4542	Date Prepared:	02/10/2011