

FISCAL NOTE
Requested by Legislative Council
02/04/2013

Bill/Resolution No.: SB 2303

- 1 A. **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.*

| | 2011-2013 Biennium | | 2013-2015 Biennium | | 2015-2017 Biennium | |
|-----------------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|
| | General Fund | Other Funds | General Fund | Other Funds | General Fund | Other Funds |
| Revenues | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Expenditures | \$0 | \$0 | \$60,000 | \$0 | \$0 | \$0 |
| Appropriations | \$0 | \$0 | \$60,000 | \$0 | \$0 | \$0 |

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

| | 2011-2013 Biennium | 2013-2015 Biennium | 2015-2017 Biennium |
|-------------------------|--------------------|--------------------|--------------------|
| Counties | \$0 | \$0 | \$0 |
| Cities | \$0 | \$0 | \$0 |
| School Districts | \$0 | \$0 | \$0 |
| Townships | \$0 | \$0 | \$0 |

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

This bill defines a person as a member of the homo sapiens species at every stage of development, making it a crime for someone to perform an abortion except in medical emergencies.

- 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.*

Since the bill defines a person as a member of the homo sapiens species at every stage of development, under NDCC 12.1-16-06, the penalty for performing an abortion, except in medical emergencies, ranges from a class AA felony to a class C felony. Under NDCC 12.1-17-01 through 12.1-17-03, the penalty for performing an abortion, except in medical emergencies, ranges from a class B misdemeanor to a class C felony. In the event this bill, if it becomes law, is challenged, the state may need to reimburse the challenging party if they prevail in the lawsuit.

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.*

Not applicable

- 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.*

If this bill is passed and legally challenged and the challenging party prevails in a lawsuit, the Office of Attorney General would need to reimburse the party for attorney's fees and costs. At this time, the Office of Attorney General estimates the general fund cost for this purpose will be \$60,000.

- 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.*

If this bill is passed and legally challenged and the challenging party prevails in a lawsuit, the Office of Attorney General would need to reimburse the party for attorney's fees and costs. At this time, the Office of Attorney General estimates the general fund cost for this purpose will be \$60,000.

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