

## Department of Planning and Budget

### 2023 Fiscal Impact Statement

**1. Bill Number:** HB2270

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Greenhalgh

**3. Committee:** Courts of Justice

**4. Title:** Provision of abortion; right to informed consent; penalties.

**5. Summary:** Requires physicians and authorized nurse practitioners to follow certain procedures and processes to effect a pregnant woman's informed written consent prior to the performance of an abortion and imposes civil and criminal penalties for violations of certain provisions.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Final.

**8. Fiscal Implications:** The provisions of the bill would require VDH to maintain a statewide list of public and private agencies and services that provide ultrasound imaging and auscultation of fetal heart tone free of charge. This bill would reinstate required printed materials that VDH must develop and publish under the Code requirements for informed consent for an abortion. Estimated printing costs and shipping costs are \$15,000 annually.

Additionally, the bill would require VDH to collect additional data about abortions in the Commonwealth. Information about Induced Termination of Pregnancies (ITOP) is currently collected by the VDH Office of Vital Records. ITOP data fields are determined by the National Center for Health Statistics (NCHS), and states have the authority to choose which of these fields to collect. The proposed form, information, and reports do not fall into the category of a vital record, and these data points are not included in the existing fields within the NCHS dataset. As a result, the Office of Vital Records cannot collect this information as part of ITOP data, and the VDH Office of Family Health Services would need to develop a tool and process for collecting this information. The estimated annual cost associated with work is \$8,126. Total annual costs are estimated to be \$23,126.

It is assumed that VDH can handle the increase in workload within existing resources.

Anyone convicted of a Class 1 misdemeanor is subject to a sentence of up to 12 months in jail and a fine of not more than \$2,500, either or both.

There is not enough information available to reliably estimate the increase in jail population as a result of this proposal. However, any increase in jail population will increase costs to the state. The Commonwealth currently pays the localities \$4.00 a day for each misdemeanor or otherwise local-responsible prisoner held in a jail. It also funds a large portion of the jails' operating costs, e.g. correctional officers. The state's share of these costs varies from locality to locality. However, according to the Compensation Board's most recent Jail Cost Report (November 2022), the estimated total state support for local jails averaged \$40.39 per inmate, per day in FY 2021.

**9. Specific Agency or Political Subdivisions Affected:** The Virginia Department of Health.

**10. Technical Amendment Necessary:** VDH can absorb the cost for the provisions of this bill within existing resources. However, if a large number of bills become law with a requirement that VDH maintain or update information annually, then VDH indicates it will need additional resources to handle the increase in workload.

**11. Other Comments:** None.