

Department of Planning and Budget

2024 Session Fiscal Impact Statement

1. Bill Number: SB716

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Carroll Foy

3. Committee: Education and Health

4. Title: Virginia Contraception and Reproductive Health Care Protection Act.

5. Summary: Establishes the Virginia Contraception and Reproductive Health Care Protection Act. The bill provides that no law-enforcement officer acting in the Commonwealth or employed by the Commonwealth or any of its localities or political subdivisions may investigate, arrest, or detain any person, seek the issuance of a warrant, or otherwise assist in or provide support for any investigation regarding either the provision or receipt of reproductive health care services, as defined in the bill, not prohibited under the laws of the Commonwealth or any person's menstrual health data. The bill creates a private right of action for any person who is aggrieved by such unlawful investigation to obtain an injunction or other equitable relief against such law-enforcement officer.

The bill also allows a health care provider to bring an action to recover damages, costs, and attorney fees against the underlying plaintiff in any case in which an action against the health care provider lawfully providing reproductive health care services is dismissed, and such an action was found to be frivolous, vexatious, primarily for the purposes of harassment, or otherwise sanctionable.

Lastly, the bill also prohibits the Board of Medicine from taking disciplinary action against a doctor based on the alleged provision or receipt of abortion care that is not prohibited under the laws of the Commonwealth, regardless of where such abortion care was provided or received. The bill also specifies that grounds for refusal to issue a certificate or license to any applicant or to take disciplinary action for procuring or performing an abortion apply to such action only as it is prohibited by the laws of the Commonwealth. Under current law, such grounds for refusal or disciplinary action apply for procuring or performing a criminal abortion.

6. Budget Amendment Necessary: No.

7. No Fiscal Impact.

8. Fiscal Implications: The provisions of this legislation would not have a fiscal impact on the Department of Health Professions, Virginia State Police, or the Department of Human Resource Management.

9. Specific Agency or Political Subdivisions Affected: None.

10. Technical Amendment Necessary: No.

11. Other Comments: None.