

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1029 - SB 1257

February 19, 2019

SUMMARY OF BILL: Creates a Class C felony offense of criminal abortion upon the thirtieth day following an overruling of *Roe v. Wade*, 410 U.S. 113 (1973), as modified by *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 55 U.S. 833 (1992), or adoption of an amendment to the United States Constitution which allows the states to prohibit abortion.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – Due to the unknown timing of when the newly created felony will take effect, the impact to state incarceration costs cannot be reasonably determined.

Assumptions:

- The proposed legislation defines abortion as the use of any instrument, medicine, drug, or any other substance or device with intent to terminate the pregnancy of a woman known to be pregnant with intent other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead fetus.
- The proposed legislation creates a Class C felony for a person who performs or attempts to perform an abortion. The creation of such an offense is contingent upon the overruling of *Roe v. Wade* as modified by *Planned Parenthood of Southeastern Pennsylvania v. Casey*, or the adoption of an amendment to the United States Constitution which restores the authority for states to prohibit abortion.
- Due to the unknown timing of an overruling of any United States Supreme Court decision or the adoption of an amendment to the United States Constitution that would authorize the State of Tennessee to criminalize abortion, a precise impact to state incarceration cannot be reasonably determined.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director

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