

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
(317) 232-9855

**FISCAL IMPACT STATEMENT**

**LS 6787**

**BILL NUMBER: HB 1246**

**DATE PREPARED:** Dec 14, 2000

**BILL AMENDED:**

**SUBJECT:** Partial Birth Abortions.

**FISCAL ANALYST:** Sherry Fontaine

**PHONE NUMBER:** 232-9867

**FUNDS AFFECTED:**  **GENERAL**  
 **DEDICATED**  
 **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill redefines the term "partial birth abortion" to refer only to the dilation and extraction technique of abortion. The bill also specifies that a partial birth abortion may be conducted to avoid substantial permanent impairment of the life or physical health of the mother.

**Effective Date:** Upon passage.

**Explanation of State Expenditures:** This bill expands the circumstances under which a partial birth abortion may be legally conducted. This could result in fewer court cases, thus reducing state expenditures for housing offenders.

*Background:* When conducting a partial birth abortion is considered a criminal act, it is a Class C felony. Expansion of the circumstances under which a partial birth abortion may be legally conducted may result in fewer Class C felonies. A Class C felony is punishable by a prison term ranging from two to eight years depending upon mitigating and aggravating circumstances.

**Explanation of State Revenues:** If fewer court cases occur and fewer fines are collected, revenue to both the Common School Fund and the state General Fund would decrease. The maximum fine for a Class C felony is \$10,000.

**Explanation of Local Expenditures:** If fewer defendants are detained in county jails prior to their court hearings, local expenditures for jail operations would decrease. The average cost per day is approximately \$44.

**Explanation of Local Revenues:** If fewer court actions occur, local governments would receive less revenue from court fees.

**State Agencies Affected:** Department of Correction.

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:** Indiana Sheriffs Association, Department of Correction.