

**Local Mandate Fiscal Impact Estimate
Kentucky Legislative Research Commission
2016 Regular Session**

Part I: Measure Information

Bill Request #: 191

Bill #: SB 7 GA

Bill Subject/Title: AN ACT relating to the use of public resources

Sponsor: Senator Max M. Wise

Unit of Government: City County Urban-County
 Charter County Consolidated Local Unified Local
Government

Office(s) Impacted: Local health departments

Requirement: Mandatory Optional

Effect on

Powers & Duties: Modifies Existing Adds New Eliminates Existing

Part II: Purpose and Mechanics

The purpose of SB 7 GA is to prohibit the giving of any state or local money to entities or facilities that provide abortions, without jeopardizing federal grants to Kentucky for family planning services under Title X and federal regulation 42 CFR 59.59(a)(5). That regulation requires that projects receiving Title X funding must provide to their participants information and counseling regarding pregnancy options, including information, counseling, and referral, if requested, regarding pregnancy termination. SB 7 GA Section 2 (3)(a) and 3(b) would amend KRS 311.715 to prohibit distribution of state or local money to any *nonpublic* entity or facility that directly provides family planning services, but doesn't provide comprehensive primary and preventive health services. The bill excludes from this prohibition funding available through Kentucky's Medical Assistance Act at KRS 205.510 to 205.560. Section 2 (3)(b) of the bill would address state *and* federal funding for family planning services provided by contractors and would establish a hierarchy for distribution of state and federal funding for those services, in the following descending order of priority:

1. Public entities that directly provide family planning services, such as state, county, and local community health clinics and federally qualified health centers;
2. Nonpublic entities that directly provide comprehensive primary and preventive health services in addition to family planning services, and

3. Nonpublic entities that directly provide family planning services, but don't provide comprehensive primary and preventative services.

Part III: Fiscal Explanation, Bill Provisions, and Estimated Cost

SB 7 GA would have no fiscal impact on local governments.

The absolute prohibitions of the bill apply only to state and local money and to nonpublic entities. Since the bill does not prohibit federal money being given to public entities or facilities that offer abortion counseling, advice, or referrals, it should not jeopardize federal Title X family planning services grants for Kentucky's local health departments. For these reasons local fiscal courts and taxpayers would not be called on to support, or pay for, those services and the bill would have no fiscal impact on local governments.

Data Source(s): Kentucky Department of Public Health; LRC staff

Preparer: Mary Stephens **Reviewer:** JWN **Date:** 2/7/16