

BILL SUMMARY
2nd Session of the 59th Legislature

Bill No.:	HB 3013
Version:	FA1
Request Number:	10730
Author:	Rep. Crosswhite Hader
Date:	3/11/2024
Impact:	\$0

Research Analysis

The floor substitute to House Bill 3013 criminalizes the trafficking of abortion-inducing drugs, making it a felony offense. The measure defines an "abortion-inducing drug" as a medicine, drug, or any other substance prescribed or dispensed with the intent of inducing an abortion. This includes off-label use of drugs known to have abortion-inducing properties, which are prescribed specifically with the intent of causing an abortion, such as misoprostol and methotrexate. This definition does not apply to drugs that may be known to cause an abortion but are prescribed for other medical indications, such as chemotherapeutic agents or for treatment of an ectopic pregnancy or spontaneous miscarriage. Individuals knowingly delivering or possessing with intent to deliver face penalties, including fines up to \$100,000 or imprisonment up to 10 years. The measure excludes pharmacists, manufacturers, and distributors operating lawfully for medical purposes. It stipulates that it may not be construed to prohibit the use, sale, prescription, or administration of a preventive contraceptive measure, drug, chemical, or device if the preventive contraceptive measure, drug, chemical, or device is used, sold, prescribed, or administered per manufacturer instructions.

CHANGES IN FLOOR SUBSTITUTE VERSION AND COMMITTEE SUBSTITUTE:

The floor substitute defines "preventative contraception" and adds a new paragraph stipulating that the provisions of the measure do not apply to preventative contraception.

Prepared By: Matthew Brenchley

Fiscal Analysis

HB 3013 prohibits the trafficking of abortion inducing drugs. Those found guilty of this offense could be charged with a felony and receive up to ten (10) years of imprisonment in the custody of the Department of Corrections (DOC), a state appropriated agency.

Although the passing of this legislation could increase the number incarcerated, officials from the DOC confirmed they do not anticipate budgetary restraints due to the passing of this measure. Therefore, there are no further considerations to the state budget or appropriations.

The floor substitute does not affect the fiscal impact of HB 3013, as it provides clarifying language exempting preventive contraceptives from this measure when used, sold, prescribed, or administered in accordance to manufacturer instructions.

Prepared By: Alexandra Ladner, House Fiscal Staff

Other Considerations

None.

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