

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

LS 6806
BILL NUMBER: HB 1617

NOTE PREPARED: Dec 26, 2024
BILL AMENDED:

SUBJECT: Parent's Bill of Rights.

FIRST AUTHOR: Rep. Lindauer
FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides that a governmental entity may not substantially burden certain parental rights unless the burden is in furtherance of a compelling governmental interest and is the least restrictive means of furthering the governmental interest. The bill prohibits a governmental entity from: (1) advising, directing, or coercing a child to withhold certain information from the child's parent; or (2) denying a child's parent access to certain information. The bill allows a parent to bring an action against a person for certain violations and provides for certain relief.

The bill specifies that the parent of a child does not have a right to access certain medical care on behalf of the child if the child does not have an affirmative right of access to the medical care. It provides that a person must obtain parental consent and comply with all other medical consent requirements before providing health care to a child. It also requires a licensing authority to conduct an immediate investigation and take appropriate disciplinary action if the licensing authority receives information that a person did not obtain appropriate consent. The bill also requires a court to notify the appropriate regulatory authority and the attorney general if the court finds that a person has knowingly provided health care to a minor without first obtaining the appropriate consent.

Effective Date: July 1, 2025.

Explanation of State Expenditures: The state may have additional civil actions to defend, including showing that an action the state has taken is reasonable and necessary to achieve a compelling interest and that it is narrowly tailored and is not otherwise served by a less restrictive means.

Additionally, the bill could increase the workload of the Attorney General and/or the Professional Licensing Agency to the extent a court determines a person has knowingly provided health care to a minor without first obtaining the consent of a minor's parent, adopted parent, guardian, or custodian.

Explanation of State Revenues: The number of civil actions filed against the state, a local unit, or a governmental entity may increase if parent(s) challenge a policy based on the rights enumerated in the bill. Additionally, civil actions could increase to the extent medical providers provide healthcare to minors

without obtaining consent from the minor's parent, guardian, or custodian. A civil costs fee of \$100 would be assessed when a civil case is filed. If additional civil actions occur and court fees are collected, revenue to the state General Fund may increase. A portion of the fee revenue is deposited into the State User Fee Fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

Explanation of Local Expenditures: Local units or entities may incur additional costs if they have more civil actions to defend.

Explanation of Local Revenues: If additional civil actions occur and court fees are collected, local governments would receive additional revenue from both a portion of the civil costs fee and other fees that would be collected.

State Agencies Affected: All state agencies and entities.

Local Agencies Affected: Trial courts, city and town courts, local law enforcement agencies.

Information Sources:

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