

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 1145-01  
Bill No.: HB 515  
Subject: Children and Minors; Civil Procedure  
Type: Original  
Date: February 23, 2011

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Bill Summary: This proposal establishes the Embryo Transfer Act which authorizes the legal relinquishment and subsequent transfer of human embryos.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2012	FY 2013	FY 2014
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 4 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2012</b>	<b>FY 2013</b>	<b>FY 2014</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of the State Courts Administrator** assume the proposal would not fiscally impact the courts.

Officials from the **Department of Health and Senior Services** assume the proposal would not create a fiscal impact to their agency.

Officials from the **Department of Social Services (DOS)** state this bill sets forth a contractual process for legally transferring an embryo from the legal custodian of the embryo to a "recipient intended parent." Such a contract requires that the legal custodian relinquishes all rights to the embryo and the recipient intended parent accepts full legal rights and responsibilities for such embryo and any child that may be born as a result of embryo transfer.

A contract may apply to existing, stored embryos, or embryos to be collected from a donor. Donors must be screened for infectious agents, including HIV, before the embryo is created. Also, the person creating the embryo must designate a legal embryo custodian who is authorized to act in the event of the death or incapacitation of the person creating the embryo. Upon the death or incapacitation of the person creating the embryo, the designated person becomes the legal embryo custodian.

Although the contract governing the process of embryo transfer is similar in some aspects to the relinquishment and adoption of a live child, the bill does not give any legal responsibility or role in the process to the Department of Social Services or the Children's Division. In fact, since a child born to a recipient intended parent as the result of embryo relinquishment is presumed to be the legal child of the recipient intended parent, it is unlikely that such child could even be identified. Therefore, there is no fiscal impact to the Department of Social Services.

<u>FISCAL IMPACT - State Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2012 (10 Mo.)	FY 2013	FY 2014
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

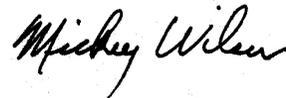
FISCAL DESCRIPTION

The proposed legislation appears to have no fiscal impact.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Courts Administrator  
Department of Health and Senior Services  
Department of Social Services



Mickey Wilson, CPA  
Director  
February 23, 2011