

Proposed law provides that Item (1) does not require the death of the unborn child and Item (2) requires that the act or omission be lawful.

Proposed law otherwise retains present law.

Proposed law prohibits the sale or distribution of any abortion-inducing drug that may be sold, prescribed, dispensed, distributed, or delivered in Louisiana without a prescription of a duly licensed physician who is physically present with the pregnant woman when the drug is administered.

Proposed law further provides that an abortion-inducing drug cannot include contraceptive drugs or devices, Plan B or the morning-after pill, or other emergency contraception.

Proposed law prohibits the delivery of an abortion-inducing drug to a person in Louisiana by mail-order, courier, or as a result of a sale made via the internet.

Proposed law provides that the Dept. of Health may promulgate rules to allow products that contain an abortion-inducing drug to be distributed for uses other than causing an abortion.

Proposed law further provides that whoever sells or distributes an abortion-inducing drug without a prescription is subject to criminal penalties of not more than \$1,000 or imprisoned for not more than six months, or both, and each instance of a sale or distribution of an abortion-inducing drug is considered a separate offense for purposes of the criminal penalties. Further provides that possessing for personal consumption shall not subject a pregnant women to criminal consequences.

Present law provides that unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce are unlawful.

Proposed law provides that the advertising, offering for sale, sale, or distribution of chemical abortion drugs without a prescription is an unfair trade practice.

Effective August 1, 2022.

(Amends R.S. 14:32.9 and R.S. 51:1402(10); adds R.S. 40:962.2)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Adds provision that "induced chemical abortion" means abortion caused by certain drugs dispensed or distributed by anyone other than a physician who is in the physical presence of the pregnant woman when the drug is administered.
2. Defines "induced chemical abortion" to also mean giving instructions via certain media regarding the self-administered inducement of a chemical abortion when a physician is not physically present.

3. Provides that certain proposed law penalties apply when the unlawful act results in serious bodily injury of the pregnant woman.
4. Adds provision that a lawful dispensing of a chemical abortion drug requires the physician to be in the physical presence of the pregnant woman when the drug is administered.

Senate Floor Amendments to engrossed bill

1. Changes definition of criminal abortion.
2. Defines "abortion-inducing drug".
3. Adds additional actions to list of activities not considered criminal abortion.
4. Prohibits delivery of abortion-inducing drug by mail-order, courier, or internet sale.
5. Provides severability.