
DIGEST

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Hoffmann

HB No. 305

Abstract: Prohibits employees of and representatives acting on behalf of abortion providers, and of affiliates of such providers, from delivering instruction or materials on any health topic, including but not limited to human sexuality or family planning, in public elementary or secondary schools or in charter schools receiving state funding.

Proposed law prohibits employees of and representatives acting on behalf of organizations that perform elective abortions, and employees and representatives of affiliates of such organizations, from engaging in any of the following activities:

- (1) Presenting or otherwise delivering any instruction or program on any health topic, including but not limited to human sexuality or family planning, to students at a public elementary or secondary school, or at a charter school that receives state funding.
- (2) Providing any materials or media regarding human sexuality or family planning for distribution or viewing at a public elementary or secondary school, or of a charter school that receives state funding, regardless of the topic or viewpoint of such materials or media, if the materials or media are created by or bear the identifying mark of an abortion provider or its affiliate.

Proposed law provides that for purposes of proposed law, "affiliate" means an organization, individual, or any other entity that has a legal relationship with another organization, individual, or any other entity, and such relationship is created or governed by at least one written instrument that demonstrates one or more of the following:

- (1) Common ownership, management, or control.
- (2) The existence of a franchise.
- (3) The granting or extension of a license or other agreement that authorizes the affiliate to use a common brand name, trademark, service mark, or other registered identification mark.

Proposed law stipulates that the provisions of proposed law shall not apply to any hospital licensed in accordance with present law.

Proposed law provides that any abortion provider or affiliate of an abortion provider whose

employee or representative violates proposed law shall be subject to imposition of a monetary penalty established by rule by DHH. Requires DHH to consider such violation in any action relative to issuance of a license for the abortion provider.

(Adds R.S. 40:1299.35)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Health and Welfare to the original bill.

1. Changed limitation on instruction or programs in schools from prohibiting instruction or programs on any topic to prohibiting instruction or programs on human sexuality or family planning.
2. Added media as items that employees and representatives of organizations performing elective abortions would be prohibited from providing in schools.
3. Deleted provisions directing the Louisiana State Law Institute to undertake a prospective technical recodification of certain Sections of proposed law.

House Floor Amendments to the engrossed bill.

1. Made technical changes.
2. Clarified that the prohibition on delivering certain instruction or materials in schools applies to an employee of or representative acting on behalf of an organization that perform elective abortions.
3. Expands the prohibited instruction or materials to any program on any health topic, including but not limited to human sexuality or family planning.