AN ACT

To amend and reenact R.S. 40:1061.6(A) and to enact Chapter 1-A of Title 36 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 36:21, relative to authorized uses of public funds; to prohibit certain uses of public funds by institutions, boards, commissions, departments, agencies, officials, and employees of the state or its political subdivisions; to prohibit entities that perform abortions from receiving public funding for any purpose; to provide for construction of the prohibition; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 1-A of Title 36 of the Louisiana Revised Statutes of 1950, comprised of R.S. 36:21, is hereby enacted to read as follows:

CHAPTER 1-A. ELIGIBILITY OF ABORTION PROVIDERS FOR PUBLIC FUNDING

§21. Public funding for abortion providers; prohibition

A. For purposes of this Chapter, the term "abortion" shall have the meaning ascribed in R.S. 40:1061.9.

B.(1) No institution, board, commission, department, agency, official, or employee of the state, or of any local political subdivision thereof, shall contract with, award any grant to, or otherwise bestow any funding upon, an entity or organization that performs abortions, or that contracts with an entity or organization that performs abortions, or that contracts with a person or organization that performs abortions.

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that performs abortions, in this state. The prohibition provided in this Section shall
apply to state funds, federal funds, and any other funds that may be used for purposes
of contracting for services, providing reimbursements, or grant issuance.

(2) The prohibition provided in this Section shall not be construed to restrict
funding to an entity that may perform the following types of abortions, exclusively:

(a) An abortion which is medically necessary to prevent the death of the
mother.

(b) An abortion in a case when the mother is a victim of rape or incest.

(c) An abortion performed when the pregnancy is diagnosed as medically
futile. For purposes of this Subparagraph, “medically futile” means that, in
reasonable medical judgment, the unborn child has a profound and irremediable
congenital or chromosomal anomaly that is incompatible with sustaining life after
birth. This diagnosis shall be a medical judgment certified in the pregnant woman's
medical record by a reasonably prudent physician who is knowledgeable about the
case and the treatment possibilities with respect to the medical conditions involved.

Section 2. R.S. 40:1061.6(A) is hereby amended and reenacted to read as follows:
§1061.6. Use of public funds

A.(1) Notwithstanding any other provision of law to the contrary, no public
funds, made available to any institution, board, commission, department, agency,
official, or employee of the state of Louisiana, or of any local political subdivision
thereof, whether such funds are made available by the government of the United
States, the state of Louisiana, or of a local governmental subdivision, or from any
other public source shall be used in any way for, to assist in, or to provide facilities
for an abortion, except when the abortion is medically necessary to prevent the death
of the mother.

(2) No institution, board, commission, department, agency, official, or
employee of the state, or of any local political subdivision thereof, shall contract
with, award any grant to, or otherwise bestow any funding upon, an entity or
organization that performs abortions, or that contracts with an entity or organization
that performs abortions, in this state, as more specifically provided in Chapter 1-A
of Title 36 of the Louisiana Revised Statutes of 1950.

Section 3. This Act shall become effective upon signature by the governor or, if not
signed by the governor, upon expiration of the time for bills to become law without signature
by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
vetoed by the governor and subsequently approved by the legislature, this Act shall become
effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____________________

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