

2018 Regular Session

HOUSE BILL NO. 273

BY REPRESENTATIVE HOFFMANN

HUMAN REMAINS: Provides relative to post-abortion interment or cremation of human remains

1 AN ACT

2 To amend and reenact R.S. 40:1061.25(A), relative to regulation of abortion; to provide  
3 relative to the requirement for post-abortion interment or cremation of human  
4 remains; to provide for an exception to such requirement; and to provide for related  
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1061.25(A) is hereby amended and reenacted to read as follows:

8 §1061.25. Remains; disposal in accordance with applicable regulations;  
9 post-abortion harvesting of fetal organs prohibited; penalties

10 A. Each physician who performs or induces an abortion which does not  
11 result in a live birth shall insure that the remains of the child are disposed of by  
12 interment or cremation, in accordance with the provisions of R.S. 8:651 et seq.,  
13 except in the case of an abortion induced by the administration of medications when  
14 the evacuation of any human remains occurs at a later time, neither in the presence  
15 of the inducing physician nor at the facility in which the physician administered the  
16 inducing medications.

17 \* \* \*

18 Section 2. This Act shall become effective upon signature by the governor or, if not  
19 signed by the governor, upon expiration of the time for bills to become law without signature  
20 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
2 effective on the day following such approval.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 273 Original

2018 Regular Session

Hoffmann

**Abstract:** Provides an exception to the requirement for post-abortion interment or cremation of human remains.

Present law requires each physician who performs or induces an abortion which does not result in a live birth to insure that the remains of the child are disposed of by interment or cremation.

Proposed law provides an exception to present law in cases of abortions induced with medications when the evacuation of any human remains occurs at a later time, neither in the presence of the inducing physician nor at the facility in which the physician administered the inducing medications.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 40:1061.25(A))