

ACT No. 319

2018 Regular Session

HOUSE BILL NO. 449

BY REPRESENTATIVES EDMONDS, ABRAHAM, AMEDEE, ANDERS, BACALA, BAGLEY, BAGNERIS, BARRAS, BERTHELOT, TERRY BROWN, CARMODY, STEVE CARTER, CHANEY, CONNICK, COUSSAN, COX, CREWS, DWIGHT, EMERSON, FALCONER, GAROFALO, GISCLAIR, GUINN, LANCE HARRIS, HAVARD, HAZEL, HENSGENS, HILFERTY, HODGES, HOFFMANN, HORTON, HOWARD, HUNTER, HUVAL, JACKSON, JEFFERSON, JOHNSON, NANCY LANDRY, LEBAS, MAGEE, MARCELLE, MIGUEZ, JAY MORRIS, PEARSON, PIERRE, POPE, PYLANT, REYNOLDS, RICHARD, SCHEXNAYDER, SIMON, STAGNI, STOKES, THOMAS, WRIGHT, AND ZERINGUE AND SENATORS ALARIO, APPEL, BARROW, BOUDREAUX, DONAHUE, GATTI, HEWITT, LONG, MARTINY, MILKOVICH, MILLS, MIZELL, PERRY, RISER, JOHN SMITH, THOMPSON, WALSWORTH, WARD, AND WHITE

1 AN ACT

2 To amend and reenact R.S. 40:1061.17(C)(1)(e) and (D)(introductory paragraph) and (2) and
3 to enact R.S. 40:1061.17.1, relative to regulation of abortion; to provide for
4 information to be conveyed pursuant to the Woman's Right To Know law; to provide
5 relative to the abortion alternatives and informed consent website of the Louisiana
6 Department of Health; to provide for delivery of information concerning adoption;
7 to provide for a task force to assist the Louisiana Department of Health in developing
8 certain informational resources; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 40:1061.17(C)(1)(e) and (D)(introductory paragraph) and (2) are
11 hereby amended and reenacted and R.S. 40:1061.17.1 is hereby enacted to read as follows:

12 §1061.17. Woman's Right To Know

13 * * *

14 C. Publication of abortion alternatives and informed consent website.

15 (1) The department shall cause to be published in English, within one
16 hundred twenty days after enactment of this Act, and shall update on an annual basis,
17 or as needed, the following easily comprehensible information on a stable Internet

1 website that shall be developed and maintained by the department to inform the
2 public of the public and private agencies and services available to assist a woman
3 through pregnancy, upon childbirth, and while her child is dependent, including but
4 not limited to the following information that shall indicate the agency's or service's
5 physical address, telephone number, and web address if available:

6 * * *

7 (e) Information on a separate and featured webpage created and maintained
8 by the Department of Children and Family Services linked on the department's
9 website, accessible by redirecting from the domain name AdoptionOption.La.Gov,
10 that lists public and private nonprofit adoption agencies that are not affiliated with
11 an abortion provider, along with easily comprehensible first steps to aid a pregnant
12 woman seeking to confidentially explore the option of placing her child for adoption,
13 and indicating whether the adoption agency allows the woman to choose the adoptive
14 parents.

15 * * *

16 D. Publication of printed materials. The department shall cause to be
17 published, within one hundred twenty days after enactment of this Act and shall
18 update on an annual basis or as needed, the following printed materials, which shall
19 also be included as printable portable document format documents from the
20 department's website:

21 * * *

22 ~~(2) A list arranged geographically, including the name, address, hours of~~
23 ~~operation, website address if available, and telephone number of each entity which~~
24 ~~offers obstetric ultrasounds free of charge. The list shall not include any facility that~~
25 ~~counsels, refers, performs, induces, prescribes, or provides any means for abortion.~~

26 (2)(a) A list arranged geographically of Louisiana-based public or private
27 nonprofit agencies, including the name, physical address, website address if
28 available, and telephone number of each of the following:

29 (i) Entities that offer obstetric ultrasounds free of charge.

1 (ii) Entities that offer free and confidential counseling to a woman
2 considering placing her child for adoption, along with the information provided
3 pursuant to Subparagraph (C)(1)(e) of this Section.

4 (b) The lists provided for in this Subsection shall not include any facility that
5 counsels, refers, performs, induces, prescribes, or provides any means for abortion.

6 * * *

7 §1061.17.1. Development of AdoptionOption.La.Gov website; task force

8 The legislature hereby establishes a task force within the Louisiana
9 Department of Health to advise the secretary of the department concerning the
10 preparation of the printed and internet materials provided for in R.S.
11 40:1061.17(C)(1)(e) and (D), and to develop public education initiatives to publicize
12 the information in a manner consistent with state law. The task force shall be
13 composed of the following members:

14 (1) Not more than two licensed clinical social workers licensed by the
15 Louisiana State Board of Social Work Examiners, each of whom shall have
16 experience in assisting birth mothers in navigating the adoption process, appointed
17 by the governor.

18 (2) Not more than two Louisiana residents who provide pre-abortion or
19 post-abortion counseling in association with a nonprofit organization that does not
20 counsel for or provide abortion, appointed by the governor.

21 (3) Not more than two attorneys licensed in Louisiana and employed by
22 nonprofit organizations who specialize in advocacy for women at risk of being
23 coerced into abortion, or who specialize in navigating the adoption process,
24 appointed by the governor.

25 (4) Not more than two Louisiana residents who are employed by public or
26 private nonprofit adoption agencies, appointed by the governor.

27 (5) Not more than two executive directors of Louisiana nonprofit
28 organizations that promote adoption as an alternative to abortion, or their designees.

29 (6) Two members of the Senate appointed by the president.

30 (7) Two members of the House of Representatives appointed by the speaker.

1 (8) The secretary of the Louisiana Department of Health or his designee,
2 who shall serve as a co-chairperson of the task force.

3 (9) The secretary of the Department of Children and Family Services or his
4 designee, who shall serve as a co-chairperson of the task force.

5 Section 2. The Louisiana Department of Health shall prepare and make publicly
6 available the printed and internet materials provided for in R.S. 40:1061.17(C)(1)(e) and (D),
7 as amended by Section 1 of this Act, on or before April 8, 2019.

8 Section 3. This Act may be referred to as the "Adoption Option Act".

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____