

2019 Regular Session

HOUSE BILL NO. 133

BY REPRESENTATIVE HOFFMANN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ABORTION: Revises the definition of abortion

1 AN ACT

2 To amend and reenact R.S. 40:2175.3(1), relative to abortion; to revise the definition of
3 abortion in the Outpatient Abortion Facility Licensing Law; and to provide for
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:2175.3(1) is hereby amended and reenacted as follows:

7 §2175.3. Definitions

8 For purposes of this Part, the following definitions apply:

9 (1) "Abortion" ~~means any surgical procedure performed after pregnancy has~~
10 ~~been medically verified with the intent to cause the termination of the pregnancy~~
11 ~~other than for the purpose of producing a live birth, removing an ectopic pregnancy,~~
12 ~~or removing a dead fetus caused by a spontaneous abortion~~ shall have the meaning
13 set forth in R.S. 40:1061.9.

14 * * *

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)]

HB 133 Original

2019 Regular Session

Hoffmann

Abstract: Redefines the term "abortion" for the purpose of the Outpatient Abortion Facility Licensing Law.

For the purpose of the Outpatient Abortion Facility Licensing Law, present law defines "abortion" as any surgical procedure performed after pregnancy has been medically verified with the intent to cause the termination of the pregnancy other than for the purpose of producing a live birth, removing an ectopic pregnancy, or removing a dead fetus caused by a spontaneous abortion.

Proposed law changes the definition of "abortion" by providing that it is the act of using or prescribing any instrument, medicine, drug, or any other substance, device, or means with the intent to terminate the clinically diagnosable pregnancy of a woman with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the unborn child. Such use, prescription, or means is not an abortion if done with the intent to:

- (1) Save the life or preserve the health of an unborn child.
- (2) Remove a dead unborn child or induce delivery of the uterine contents in case of a positive diagnosis, certified in writing in the woman's medical record along with the results of an obstetric ultrasound test, that the pregnancy has ended or is in the unavoidable and untreatable process of ending due to spontaneous miscarriage, also known in medical terminology as spontaneous abortion, missed abortion, inevitable abortion, incomplete abortion, or septic abortion.
- (3) Remove an ectopic pregnancy.

(Amends R.S. 40:2175.3(1))