
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)]

Harris

HB No. 590

Abstract: Prohibits the use of public monies for abortion and provision of public monies to providers of abortion except as may be required by the federal government as a condition of federal financial participation in a public medical assistance program.

Proposed constitutional amendment prohibits the use of monies from any public source for each of the following purposes, except when such use is required as a condition of federal financial participation in a public medical assistance program:

- (1) To provide in any way for, to assist in, or to provide facilities for an abortion.
- (2) To fund any organization that provides elective abortions, irrespective of whether the organization performs such abortions in this state, and of whether it performs such abortions directly or through an affiliate.

Proposed constitutional amendment provides that for purposes of proposed constitutional amendment, the following definitions of "abortion", "affiliate", and "elective abortion" apply:

- (1) "Abortion" means 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:
 - (a) Save the life or preserve the health of an unborn child.
 - (b) 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.
 - (c) Remove an ectopic pregnancy.
- (2) "Affiliate" means 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 established or governed by at least one written instrument that demonstrates one or more of the following:

- (a) Common ownership, management, or control.
 - (b) The existence of a franchise.
 - (c) The granting or extension of a license or other agreement that authorizes common use of a brand name, trademark, service mark, or other registered identification mark.
- (3) "Elective abortion" means any abortion that does not meet either of the following criteria:
- (a) Is medically necessary to prevent the death of the mother.
 - (b) Is performed on a woman when her pregnancy resulted from rape or incest.

Provides for submission of the proposed amendment to the voters at the statewide election to be held November 4, 2014.

(Adds Const. Art. VII, §17.1)