The original instrument was prepared by Christine Arbo Peck. The following digest, which does not constitute a part of the legislative instrument, was prepared by Alden A. Clement, Jr.

DIGEST 2018 Regular Session

Milkovich

<u>Proposed law</u> provides that in addition to any remedy available through certain penalty provisions in <u>present law</u>, the district attorney in any parish in which an outpatient abortion clinic is located, the attorney general, or the governor may petition the court for an injunction to cease and desist all services at the clinic, revoke the clinic's license, and cause the clinic to be permanently closed, if the district attorney, attorney general, or governor has information that an outpatient abortion clinic has:

- (1) Performed an abortion on a minor in violation of present law.
- (2) Performed a post-live birth abortion.

SB 325 Engrossed

- (3) Systematically, intentionally, or deliberately falsified or destroyed patient files or records required by present law.
- (4) Prefilled, predated, or completed in advance any portion of patient records or forms required by present law.

<u>Proposed law</u> provides that in addition to the authority of the Dept. of Health, the district attorney in any parish in which an outpatient abortion clinic is located, the attorney general, and the governor have standing to review, inspect, or conduct discovery of all forms required by <u>present law</u>.

<u>Proposed law</u> provides that the destruction of documents and forms required by <u>present law</u> is a criminal offense. <u>Proposed law</u> provides that the staff of the abortion clinic and the employees of the Dept. of Health are both subject to the penalty provisions of <u>proposed law</u> if they participated in the destruction of documents or forms required by <u>present law</u>.

<u>Proposed law</u> provides that public employees of the Dept. of Health are subject to malfeasance in office for failure to take action against an outpatient abortion clinic for violation of licensing rules and regulations set forth in present law.

<u>Proposed law</u> provides that any owner or operator of an outpatient abortion clinic that loses its license pursuant to the provisions of <u>proposed law</u>, or who has been convicted of certain enumerated provisions of <u>present law</u> will be permanently barred from the operation, ownership, or having an interest in ownership, of an outpatient abortion clinic in Louisiana.

<u>Proposed law provides</u> that performance of an abortion in an unlicensed facility is a criminal offense pursuant to <u>present law</u> relative to criminal abortion if the facility is required to have an outpatient abortion facility license pursuant to present law.

Effective August 1, 2018.

(Adds R.S. 40:1061.30)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Deletes <u>proposed law</u> relative to criminal abortion.