# 2021 Regular Session

#### HOUSE BILL NO. 357

#### BY REPRESENTATIVES CREWS AND EDMONDS

1	AN ACT
2	To amend and reenact R.S. 40:1061.14(B)(1) and 1061.21(A)(introductory paragraph), (4),
3	(5)(b), and (D) and to enact R.S. 40:1061.21(A)(5)(c), relative to reporting of
4	information in connection with abortions performed in this state; to provide for a
5	judicial bypass order; to provide requirements for information to be included in
6	individual reports on abortions performed or induced; to provide for collection of
7	certain information concerning minors who undergo abortions; to provide
8	requirements for information to be included in annual statistical reports of abortion-
9	related data issued by the Louisiana Department of Health; and to provide for related
10	matters.
11	Be it enacted by the Legislature of Louisiana:
12	Section 1. R.S. 40:1061.14(B)(1) and 1061.21(A)(introductory paragraph), (4),
13	(5)(b), and (D) are hereby amended and reenacted and R.S. 40:1061.21(A)(5)(c) is hereby
14	enacted to read as follows:
15	§1061.14. Minors
16	* * *
17	B. The following provisions shall apply to all applications for court orders
18	by minors seeking abortions and appeals from denials of applications:
19	(1) Jurisdiction to hear applications shall be in the court having juvenile
20	jurisdiction in the parish where the abortion is to be performed or the parish in which
21	the minor is domiciled. Jurisdiction to hear an application or appeal shall be
22	extended to a court having juvenile jurisdiction in a contiguous parish if either of the
23	following conditions is met:

# Page 1 of 4

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

	HB NO. 357 ENROLLED
1	(a) The minor's parent or guardian is a presiding judge of the juvenile court
2	in the parish in which the minor is domiciled.
3	(b) The parish in which the minor is domiciled has a population of less than
4	ten thousand persons according to the latest federal decennial census.
5	* * *
6	§1061.21. Reports
7	A. An individual abortion report for each abortion performed or induced
8	shall be completed by the attending physician. The report shall be confidential and
9	shall not contain the name or address of the woman. The report shall include <u>all of</u>
10	the following:
11	* * *
12	(4) The parish and municipality zip code, if any, in which the pregnant
13	woman resides.
14	* * *
15	(5)
16	* * *
17	(b) If the pregnant woman is a minor, the report shall include all of the
18	following:
19	(i)(aa) A a notation of whether the abortion was performed pursuant to either
20	notarized parental consent or a judicial bypass order as provided for in R.S.
21	40:1061.14.
22	(bb) If the abortion was performed pursuant to a judicial bypass order as
23	provided for in R.S. 40:1061.14, the report shall indicate the judicial district of the
24	court that issued the order.
25	(ii) A notation indicating whether or not the physician or any other staff
26	member of the abortion facility suspected that the minor was the victim of any form
27	of child abuse or neglect and filed a report of such abuse or neglect in accordance
28	with Children's Code Article 610.

## **ENROLLED**

1	(c) If the pregnant woman is a minor and the abortion was performed
2	pursuant to a judicial bypass order as provided for in R.S. 40:1061.14, the report
3	shall include all of the following:
4	(i) A notation indicating whether or not the minor was required to participate
5	in an evaluation and counseling session with a mental health professional from the
6	Louisiana Department of Health or a staff member from the Department of Children
7	and Family Services as provided for in R.S. 40:1061.14(B)(3)(b).
8	(ii) A notation indicating whether or not the court issued a protective order
9	for the minor, afforded her the continued services of a court-appointed special
10	advocate, or did both, as authorized in R.S. 40:1061.14(B)(4)(c).
11	(iii) A notation of whether the judicial bypass was granted because of a
12	finding that the minor girl was mature and capable of giving informed consent, as
13	provided for in R.S. 40:1061.14(4)(b).
14	(iv) A notation of whether the judicial bypass was granted because of a
15	finding that the performance of the abortion without parental notification and consent
16	was in the best interest of the minor, as provided for in R.S. 40:1061.14(6).
17	(v) A notation of whether or not the physician or any other staff member of
18	the abortion facility referred the woman to any licensed professional for post-
19	abortion counseling.
20	(vi) A notation of whether or not the physician or any other staff member of
21	the abortion facility referred the woman to the Louisiana Department of Health or
22	the Department of Children and Family Services for any health services or other
23	human services.
24	* * *
25	D.(1) The Louisiana Department of Health shall be responsible for collecting
26	all abortion reports and complication reports and collating and evaluating all data
27	gathered therefrom, and shall annually publish a statistical report based on such data
28	from abortions performed in the previous calendar year.
29	(2) The annual report required by this Subsection shall include a special
30	section addressing abortions performed on minors. This section of the report shall

Page 3 of 4

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

- 1 feature, at minimum, a compilation of the information required by the provisions of
- 2 Paragraph (A)(5) of this Section to be included in individual abortion reports.

## SPEAKER OF THE HOUSE OF REPRESENTATIVES

## PRESIDENT OF THE SENATE

### GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_