

2025 Regular Session

HOUSE BILL NO. 425

BY REPRESENTATIVE CARLSON

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

ABORTION: Provides relative to coerced abortion and reporting requirements

1 AN ACT

2 To amend and reenact R.S. 14:87.6 and R.S. 40:2175.7(A)(1), relative to abortion; to
3 provide relative to the crime of coerced abortion; to provide relative to the elements
4 of coerced abortion; to provide for circumstances that constitute coerced abortion;
5 to provide for penalties; to provide relative to mandatory reporting; and to provide
6 for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:87.6 is hereby amended and reenacted to read as follows:

9 §87.6. Coerced abortion

10 A. Coerced abortion is committed when any person ~~intentionally~~ knowingly
11 engages in the use or threatened use of ~~physical force, control, or intimidation~~
12 against ~~the person of~~ a pregnant woman; with the intent to compel the pregnant
13 woman to undergo an abortion against her will, whether or not the abortion
14 procedure has been attempted or completed. Such means of force, control, or
15 intimidation shall include but not be limited to any of the following:

- 16 (1) Physical force or actual or implied threats of physical force.
- 17 (2) Exploitation of needs for food, shelter, safety, affection, or intimate or
18 marital relationships.
- 19 (3) Restraint of movement.
- 20 (4) Destruction of property.

- 1 (5) Kidnapping.
- 2 (6) Defining the terms of an individual's employment or working conditions
3 in a manner that may foreseeably lead to the individual seeking or obtaining an
4 abortion.
- 5 (7) Blackmail.
- 6 (8) Extortion or claims of indebtedness.
- 7 (9) Threat of legal complaints or report of delinquency.
- 8 (10) Threat of interference with parental rights or responsibilities, whether
9 by judicial or administrative action or otherwise.
- 10 (11) Promise of legal benefit, such as the posting of bail, procurement of an
11 attorney, or protection from arrest.
- 12 (12) Promise of financial reward.
- 13 (13) Restraint of speech or communication with others, such as exploitation
14 of a language difference, or interference with the use of mail, telephone, or money.
- 15 (14) Isolation of an individual from others.
- 16 (15) Exploitation of a condition of developmental disability, cognitive
17 limitation, affective disorder, or substance dependency.
- 18 (16) Exploitation of previous victimization caused by sexual abuse or
19 battery.
- 20 (17) Exploitation of a pornographic performance.
- 21 (18) Interference with opportunities for education or skills training.

22 B. Whoever commits the crime of coerced abortion shall be fined not more
23 than five thousand dollars, ~~or imprisoned~~ with or without hard labor for not more
24 than five years, or both.

25 Section 2. R.S. 40:2175.7(A)(1) is hereby amended and reenacted to read as follows:

26 §2175.7. Mandatory reports to law enforcement; human trafficking awareness and
27 prevention training

28 A.(1) Notwithstanding any claim of privileged communication, any
29 mandatory reporter to law enforcement who has cause to believe that a minor or

- (c) Previous victimization caused by sexual abuse or battery.
- (d) A pornographic performance.
- (3) Restraint of any of the following:
 - (a) Movement.
 - (b) Speech or communication with others, such as exploitation of a language difference, or interference with the use of mail, telephone, or money.
- (4) Destruction of property.
- (5) Kidnapping.
- (6) Defining the terms of an individual's employment or working conditions in a manner that may foreseeably lead to the individual seeking or obtaining an abortion.
- (7) Blackmail.
- (8) Extortion or claims of indebtedness.
- (9) Threat of any of the following:
 - (a) Legal complaints or report of delinquency.
 - (b) Interference with parental rights or responsibilities, whether by judicial or administrative action or otherwise.
- (10) Promise of any of the following:
 - (a) Legal benefit, such as the posting of bail, procurement of an attorney, or protection from arrest.
 - (b) Financial award.
- (11) Isolation of an individual from others.
- (12) Interference with opportunities for education or skills training.

Present law (R.S. 14:87.6(B)) provides that whoever commits the crime of coerced abortion shall be fined not more than \$5,000, imprisoned for not more than five years, or both.

Proposed law amends present law to provide that the term of imprisonment shall be served with or without hard labor.

Present law (R.S. 40:2175.7) provides for mandatory reports to law enforcement.

Proposed law retains present law.

Present law (R.S. 40:2175.7(A)) provides that any mandatory reporter to law enforcement who has cause to believe that a minor or adult female who presents at an outpatient abortion facility is a victim of human trafficking, trafficking of children for sexual purposes, rape, incest, or coerced abortion shall report such crime immediately, or no later than the end of the business day, to the sheriff's department in the parish or local police department where the outpatient abortion facility is located.

Present law further provides that if the victim does not reside in the parish where the outpatient abortion facility is located, the mandatory reporter to law enforcement shall also report the crime to the law enforcement agency in the parish or county in which the victim resides, if reasonably ascertainable.

Proposed law amends present law to remove the condition that the minor or adult female present at an outpatient abortion facility. Further changes the reference of "incest" to "crime against nature".

Proposed law deletes the provision of present law relative to reporting requirements when the victim does not reside in the parish where the outpatient abortion facility is located.

(Amends R.S. 14:87.6 and R.S. 40:2175.7(A)(1))