

GREEN SHEET REDIGEST

HB 425

2025 Regular Session

Carlson

ABORTION: Provides relative to coerced abortion

DIGEST

Present law (R.S. 14:66) provides for the crime of extortion.

Proposed law retains present law and provides that an additional threat that constitutes extortion is a threat intended to compel a pregnant woman to have an abortion as defined in present law (R.S. 14:87.1).

Present law (R.S. 14:87.6) provides for the crime of coerced abortion.

Proposed law retains present law.

Present law (R.S. 14:87.6(A)) provides that coerced abortion is committed when any person intentionally engages in the use or threatened use of physical force against the person of a pregnant woman, with the intent to compel the pregnant woman to undergo an abortion against her will, whether or not the abortion procedure has been attempted or completed.

Proposed law amends present law to provide that coerced abortion is committed when any person knowingly rather than intentionally, engages in the use or threatened use of physical force, control, or intimidation with the intent to compel a pregnant woman to undergo an abortion against her will, whether or not the abortion procedure has been attempted or completed.

Proposed law provides that physical force, control, or intimidation shall mean any of the following:

- (1) Battery as defined in present law (R.S. 14:33).
- (2) Assault as defined in present law (R.S. 14:36).
- (3) Simple kidnapping as defined in present law (R.S. 14:45).
- (4) False imprisonment as defined in present law (R.S. 14:46).
- (5) Extortion as defined in present law (R.S. 14:66).

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.

(Amends R.S. 14:66(A)(intro. para.) and (6) and 87.6; Adds R.S. 14:66(A)(7))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Make technical changes.
2. Within the present law offense of extortion, add a threat intended to compel a pregnant woman to have an abortion as defined in present law (R.S. 14:87.1) as conduct that constitutes extortion.

3. Clarify that physical force against a pregnant woman is an element of present law crime of coerced abortion.
4. Change the conduct within the present law (R.S. 14:87.6) crime of coerced abortion that constitutes physical force, control, or intimidation to include any of the following:
 - (a) Battery as defined in present law (R.S. 14:33).
 - (b) Assault as defined in present law (R.S. 14:36).
 - (c) Simple kidnapping as defined in present law (R.S. 14:45).
 - (d) False imprisonment as defined in present law (R.S. 14:46).
 - (e) Extortion as defined in present law (R.S. 14:66).
5. Restore provisions of present law relative to mandatory reporting.

Summary of Amendments Adopted by Senate

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

1. Make technical changes.