

2023 Regular Session

HOUSE BILL NO. 346

BY REPRESENTATIVES BOYD, GREEN, AND LAFLEUR

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

ABORTION: Provides for exceptions to the abortion laws of this state relative to rape and incest

1 AN ACT

2 To enact R.S. 14:87.1(1)(b)(vii), relative to exceptions to existing abortion laws; to expand  
3 the definition of abortion; to provide for rape and incest provisions within the  
4 definition of abortion; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:87.1(1)(b)(vii) is hereby enacted to read as follows:

7 §87.1. Definitions

8 Wherever used in this Subpart, unless a different meaning clearly appears in  
9 the context, the following terms, whether used in the singular or plural, shall have  
10 the following meanings:

11 (1)

12 \* \* \*

13 (b) Abortion shall not mean any one or more of the following acts, if  
14 performed by a physician:

15 \* \* \*

16 (vii)(aa) Terminate a pregnancy that is the result of an act constituting an  
17 offense as listed in R.S. 15:541(24).

18 (bb) This Item shall not be construed to require any of the following:

19 (I) A police or investigatory report.

20 (II) Forensic evidence provided by the pregnant female.

1                    (III) A prosecution of the alleged offense.

2    \*           \*           \*

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)]

HB 346 Original

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Boyd

**Abstract:** Adds rape and incest to the list of acts performed by a physician that shall not be considered an abortion.

Present law defines "abortion" and provides a list of acts performed by a physician that shall not, by definition, be considered acts of abortion.

Proposed law extends present law by providing that the termination of a pregnancy that is the result of an act constituting a sex offense as defined in present law shall not be considered an act of abortion.

Proposed law further provides that the provisions of proposed law shall not require any of the following:

- (1) A police or investigatory report.
- (2) Forensic evidence provided by the pregnant female.
- (3) A prosecution of the alleged offense.

(Adds R.S. 14:87.1(1)(b)(vii))