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## DIGEST

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HB 522 Original

2023 Regular Session

Freeman

**Abstract:** Redefines abortion, imposes fines in place of imprisonment when an abortion has been performed, and reduces physician certification requirements for a determination of medical futility.

Present law defines "abortion" as the performance of any act with the intent to terminate a clinically diagnosable pregnancy with knowledge that the termination by those means will, with reasonable likelihood, cause the death of the unborn child by one or more of the means provided in present law.

Proposed law defines "abortion" as the performance of any act with the specific intent to terminate a clinically diagnosable pregnancy and cause the death of the unborn child by one or more of the means provided in present law.

Present law requires a medical judgment certified by two qualified physicians and recorded in the woman's medical record in order to deem the removal of an unborn child medically futile.

Proposed law changes the required number of qualified physicians necessary for a medically futile diagnosis from two to one and otherwise retains present law.

Present law requires whoever commits the crime of abortion to be imprisoned at hard labor for not less than one year nor more than 10 years and fined not less than \$10,000 nor more than \$100,000.

Proposed law removes the imprisonment provision for the performance of an abortion and changes the aforementioned amount to no more than \$25,000.

Present law requires whoever commits the crime of late term abortion to be imprisoned at hard labor for not less than one year nor more than 15 years. Present law also imposes a fine of not less than \$20,000 nor more than \$200,000.

Proposed law removes the imprisonment provision for the performance of a late term abortion and changes the aforementioned amount to no more than \$50,000.

Present law imposes civil penalties for a violation of the abortion provisions in present law. Proposed law removes the civil penalty provision.

(Amends R.S. 14:87.1(1)(a)(intro. para.) and (b)(vi), 87.7(C), and 87.8(B) and R.S. 40:1061(D))