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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Carla S. Roberts.

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DIGEST

SB 276 Engrossed

2024 Regular Session

Pressly

Proposed law creates the crime of criminal abortion by means of fraud and adds attempted abortion to certain criminal abortion statutes. Designates the crime of abortion by means of abortion-inducing drugs as a "racketeering activity".

Proposed law creates the crime of coerced criminal abortion by means of fraud and defines the elements as knowingly and intentionally engaging in the use, or attempted use, of an abortion-inducing drug on a pregnant woman, without her knowledge or consent, to cause an abortion. Provides that it is not a defense to prosecution if the attempt fails to cause the death of the unborn child. Provides that it is not a defense to the prosecution of murder or attempted murder if the person commits the crime of coerced criminal abortion by means of fraud and the use of an abortion-inducing drug results in the death or serious bodily injury of the pregnant woman. Creates an enhanced penalty if the unborn child is more than three months of gestational age and, therefore, substantially increases the pregnant woman's risk of death or serious bodily harm due to the nonconsensual use of an abortion inducing drug on the pregnant woman.

Present law provides that it is unlawful for a physician or other person to perform an abortion, with or without the consent of the pregnant female.

Proposed law amends present law to include attempted abortion as an additional crime.

Present law provides that it is unlawful for a physician or other person to perform a late term abortion, with or without the consent of the pregnant female.

Proposed law amends present law to include attempted late term abortion as an additional crime.

Present law provides that criminal abortion by means of an abortion-inducing drug is committed when a person knowingly causes an abortion to occur by means of delivering, dispensing, distributing, or providing a pregnant woman with an abortion-inducing drug.

Proposed law amends present law to include attempted criminal abortion by means of an abortion-inducing drug as an additional crime.

Present law provides for the definition of "racketeering activity" and provides for certain criminal offenses and otherwise retains present law.

Proposed law adds criminal abortion by means of abortion-inducing drugs to the definition of "racketeering activity".

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 14:87.7(A), 87.8(A), 87.9(A); adds R.S. 14:87.6.1 and 15:1352(A)(71))