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**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Chaisson to Engrossed Senate Bill No. 33 by Senator Nevers

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1 AMENDMENT NO. 1

2 On page 1, line 2, after "To" delete "amend and reenact 14:87, to" and after "enact" insert  
3 "R.S. 14:87 and"

4 AMENDMENT NO. 2

5 On page 2, delete lines 3 through 9

6 AMENDMENT NO. 3

7 On page 3, delete line 26 through 39 and on page 4, delete lines 1 through 29, and on page  
8 5, delete lines 1 through 29, and on page 6 delete lines 1 through 2 and insert the following:

9 "Section 2. R.S. 14:87 is hereby enacted to read as follows:

10 §87. Abortion

11 A.(1) Abortion is the performance of any of the following acts, with the specific  
12 intent of terminating a pregnancy:

13 (a) Administering or prescribing any drug, potion, medicine, or any other  
14 substance to a female; or

15 (b) Using any instrument or external force whatsoever on a female.

16 (2) This Section shall not apply to the female who has an abortion.

17 B. It shall not be unlawful for a physician to perform any of the acts described  
18 in Subsection A of this Section if performed under the following circumstances:

19 (1) The physician terminates the pregnancy in order to preserve the life or  
20 health of the unborn child or to remove a dead unborn child.

21 (2) The physician terminates a pregnancy for the express purpose of saving the  
22 life of the mother.

23 (3) The physician terminates a pregnancy which is the result of rape as defined  
24 in either R.S. 14:42, R.S. 14:42.1, or R.S. 14:43 and in which all of the following  
25 requirements are met prior to the pregnancy termination:

26 (a) The rape victim obtains a physical examination and/or treatment from a  
27 physician other than the physician who is to terminate the pregnancy within five days  
28 of the rape to determine whether she was pregnant prior to the rape and to prevent  
29 pregnancy and venereal disease, unless the rape victim is incapacitated to such a degree  
30 that she is unable to obtain this examination. If the victim is unable to obtain the  
31 examination due to such incapacity, then an examination shall be performed within five  
32 days after the incapacity is removed; and

33 (b) The rape victim reports the rape to law enforcement officials within seven  
34 days of the rape unless the victim is incapacitated to such a degree that she is unable  
35 to report the rape. If the victim is unable to report the rape due to such incapacity,  
36 then a report shall be made within seven days after the incapacity is removed; and

37 (c) The abortion is performed within thirteen weeks of conception.

38 (4) The physician terminates a pregnancy which is the result of incest as defined  
39 in R.S. 14:78, provided the crime is reported to law enforcement officials and the  
40 abortion is performed within thirteen weeks of conception.

41 C.(1) Prior to the performance of any abortion under Subsection (B)(3) or  
42 (B)(4) of this Section, the physician who is to perform the abortion shall obtain from  
43 the victim a statement in writing verifying that she has obtained the physical  
44 examination and shall obtain written verification by a law enforcement official that the  
45 victim reported the rape to law enforcement officials as required under this Section.

1           (2) Every physician who conducts a physical examination of a rape victim  
2 within five days of the rape shall immediately, upon written request of either the victim  
3 or the physician who is to perform the abortion on the victim, provide to the victim or  
4 the requesting physician written verification of his examination.

5           (3) Every law enforcement official who receives a report of a rape victim within  
6 seven days of the rape or receives a report of incest shall immediately, upon written  
7 request of either the victim or the physician who is to perform the abortion, provide to  
8 the victim or requesting physician written verification of the report which was made  
9 to the official.

10          D. As used in this Section, the following words and phrases are defined as  
11 follows:

12           (1) "Law enforcement official or officer" means any peace officer or agency  
13 empowered to enforce the law in criminal matters within his or its respective  
14 jurisdiction, including but not limited to a state police officer, sheriff, constable, local  
15 police officer, and district attorney.

16           (2) "Physician" means any person licensed to practice medicine in this state.

17           (3) "Unborn child" means the unborn offspring of human beings from the  
18 moment of conception until birth.

19           (4) "Conception" means the contact of spermatozoan with the ovum.

20          E.(1) Whoever commits the crime of abortion shall be imprisoned at hard labor  
21 for not less than one nor more than ten years and shall be fined not less than ten  
22 thousand dollars nor more than one hundred thousand dollars.

23           (2) This penalty shall not apply to the female who has an abortion.