

2018 Regular Session

SENATE BILL NO. 73

BY SENATOR GATTI

CRIMINAL PROCEDURE. Provides relative to the sale and transport of fetal organs. (gov sig)

1 AN ACT

2 To enact R.S. 14:87.3(F) and (G), relative to the sale and transport of fetal organs; to provide
3 relative to prosecutions of the unlawful sale and transport of fetal organs; to create
4 and provide relative to the Fetal Organ Whistleblower Fund; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:87.3(F) and (G) are hereby enacted to read as follows:

8 §87.3. Prohibited cutting, resection, excision, harvesting, removal, sale, receipt,
9 research, commerce, or transport of fetal organs, tissues, and body
10 parts; **whistleblower fund**

11 * * *

12 **F. The district attorney of the parish where a violation of this Section**
13 **occurs and the attorney general shall have concurrent authority to collect**
14 **evidence, investigate, and institute criminal proceedings for any violation of this**
15 **Section.**

16 **G. The Fetal Organ Whistleblower Fund, hereinafter referred to as "the**
17 **fund", is hereby created in the state treasury.**

further provides that this fund is to be composed of any monies derived from appropriations by the legislature and any gift, grant, devise, donation, or bequest of monies or properties of any nature or description.

Proposed law provides that an award of \$1,000 is to be paid out of the Fetal Organ Whistleblower Fund to any person who provides evidence that results in the arrest and indictment of any other person for a violation of present law relative to fetal organs, tissues, and body parts. Proposed law further provides that eligibility for an award pursuant to proposed law is to be determined by the district attorney or the attorney general, as appropriate.

Proposed law provides that all monies deposited in the Fetal Organ Whistleblower Fund are to be used solely to pay awards to persons as provided by proposed law and are to be paid by the state treasurer upon written order signed by the district attorney or the attorney general, as appropriate. However, proposed law provides that monies deposited in the Fetal Organ Whistleblower Fund may be used to pay reasonable costs of administering the fund.

Proposed law provides that the name and other identifying information of any person who is paid an award pursuant to proposed law must remain confidential.

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

(Adds R.S. 14:87.3(F) and (G))