
SENATE FLOOR AMENDMENTS

2018 Regular Session

Amendments proposed by Senator Milkovich to Reengrossed Senate Bill No. 325 by Senator Milkovich

1 AMENDMENT NO. 1

2 On page 1, delete lines 9 through 16, and insert the following:

3 **"A. In addition to any remedy available through the penalty provisions of this**
4 **Chapter to the Louisiana Department of Health pursuant to R.S. 40:2175.6, or**
5 **any other provision of law that provides a civil cause of action against an**
6 **outpatient abortion clinic, the district attorney in any parish in which an**
7 **outpatient abortion clinic is located, the attorney general, or the governor may**
8 **petition the court for an injunction to cease and desist all services at the clinic,**
9 **revoke the clinic's license, and cause the clinic to be permanently closed, if the**
10 **district attorney, attorney general, or governor has information that an**
11 **outpatient abortion clinic has:**

12 **(1) Performed an abortion on a minor in violation of R.S. 40:1061.14.**

13 **(2) Performed a partial birth abortion.**

14 **(3) Systematically, intentionally, or deliberately falsified or destroyed patient**
15 **files or records required by R.S. 40:1061.17.**

16 **(4) Prefilled, predated, or completed in advance any portion of patient records**
17 **or forms required by R.S. 40:1061.17 to include patient specific data, dates,**
18 **ages, procedure codes, or signatures.**

19 **B. In addition to the authority of the Louisiana Department of Health, the**
20 **district attorney in any parish in which an outpatient abortion clinic is located,**
21 **the attorney general, and the governor shall have standing to review, inspect,**
22 **or conduct discovery of all forms required by R.S. 40:1061.17.**

23 **C. The destruction of documents and forms required by R.S. 40:1061.17 shall**
24 **be considered a criminal offense pursuant to R.S. 14:132. The staff of the**
25 **abortion clinic and the employees of the Louisiana Department of Health shall**
26 **both be subject to the penalty provisions of this Subsection and R.S. 14:132 if**
27 **they participated in the destruction of documents or forms required by R.S.**
28 **40:1061.17.**

29 **D. Any owner or operator of an outpatient abortion clinic that loses its license**
30 **pursuant to the provisions of a criminal offense pursuant to this Section, or who**
31 **has been convicted of R.S. 14: 32.5, R.S. 14:32.9, R.S. 14:32.9.1, R.S. 14: 32.10,**
32 **R.S. 14:32.11, R.S. 14:87, R.S. 14:87.3, R.S. 14:87.4, R.S. 14:88, R.S. 14:132, or**
33 **R.S. 14:286, shall be permanently barred from the operation, ownership, or**
34 **having an interest in ownership, of an outpatient abortion clinic in Louisiana.**

35 **E. Performance of an abortion in an unlicensed facility shall be a criminal**
36 **offense pursuant to R.S. 14:32.9 if the facility is required to have an outpatient**
37 **abortion facility license pursuant to R.S. 40:2175.1 et seq."**