
DIGEST

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HB 425 Original

2025 Regular Session

Carlson

Abstract: Provides relative to the crime of coerced abortion and for mandatory reporting.

Present law (R.S. 14:87.6) provides for the crime of coerced abortion.

Proposed law retains present law.

Present law (R.S. 14:87.6(A)) provides that coerced abortion is committed when any person intentionally engages in the use or threatened use of physical force against the person of a pregnant woman, with the intent to compel the pregnant woman to undergo an abortion against her will, whether or not the abortion procedure has been attempted or completed.

Proposed law amends present law to provide that coerced abortion is committed when any person knowingly rather than intentionally, engages in the use or threatened use of force, control, or intimidation rather than the use of physical force, against a pregnant woman rather than the person of a pregnant woman, to undergo an abortion against her will, whether or not the abortion procedure has been attempted or completed.

Proposed law provides that such means of use or threatened use of force, control, or intimidation shall include but not be limited to any of the following:

- (1) Physical force or actual or implied threats of physical force.
- (2) Exploitation of any of the following:
 - (a) Needs for food, shelter, safety, affection, or intimate or marital relationships.
 - (b) A condition of developmental disability, cognitive limitation, affective disorder, or substance dependency.
 - (c) Previous victimization caused by sexual abuse or battery.
 - (d) A pornographic performance.
- (3) Restraint of any of the following:
 - (a) Movement.

- (b) Speech or communication with others, such as exploitation of a language difference, or interference with the use of mail, telephone, or money.
- (4) Destruction of property.
- (5) Kidnapping.
- (6) Defining the terms of an individual's employment or working conditions in a manner that may foreseeably lead to the individual seeking or obtaining an abortion.
- (7) Blackmail.
- (8) Extortion or claims of indebtedness.
- (9) Threat of any of the following:
 - (a) Legal complaints or report of delinquency.
 - (b) Interference with parental rights or responsibilities, whether by judicial or administrative action or otherwise.
- (10) Promise of any of the following:
 - (a) Legal benefit, such as the posting of bail, procurement of an attorney, or protection from arrest.
 - (b) Financial award.
- (11) Isolation of an individual from others.
- (12) Interference with opportunities for education or skills training.

Present law (R.S. 14:87.6(B)) provides that whoever commits the crime of coerced abortion shall be fined not more than \$5,000, imprisoned for not more than five years, or both.

Proposed law amends present law to provide that the term of imprisonment shall be served with or without hard labor.

Present law (R.S. 40:2175.7) provides for mandatory reports to law enforcement.

Proposed law retains present law.

Present law (R.S. 40:2175.7(A)) provides that any mandatory reporter to law enforcement who has cause to believe that a minor or adult female who presents at an outpatient abortion facility is a victim of human trafficking, trafficking of children for sexual purposes, rape, incest, or coerced

abortion shall report such crime immediately, or no later than the end of the business day, to the sheriff's department in the parish or local police department where the outpatient abortion facility is located.

Present law further provides that if the victim does not reside in the parish where the outpatient abortion facility is located, the mandatory reporter to law enforcement shall also report the crime to the law enforcement agency in the parish or county in which the victim resides, if reasonably ascertainable.

Proposed law amends present law to remove the condition that the minor or adult female present at an outpatient abortion facility. Further changes the reference of "incest" to "crime against nature".

Proposed law deletes the provision of present law relative to reporting requirements when the victim does not reside in the parish where the outpatient abortion facility is located.

(Amends R.S. 14:87.6 and R.S. 40:2175.7(A)(1))