

Present law (R.S. 40:1299.31 through R.S. 40:1299.35.18) permits abortion for any reason, protects a person who performs an abortion from liability or criminal responsibility.

Proposed law provides that this Act will only become effective upon a U.S. Supreme Court decision overturning Roe v. Wade, in whole or in part, or the adoption of a U.S. Constitutional amendment that allows states to prohibit abortions.

Proposed law (R.S. 40:1299.30), protects the life of the unborn child from the instant of conception to the instant of birth. Abortion is permitted only to protect the life of the birth mother.

Present law (R.S. 14:87) permits abortion for a pregnancy that results from rape or incest when the mothers' health is not in danger.

Proposed law permits abortion only when the life of the birth mother is in danger or to prevent permanent impairment of the function of a life sustaining organ or organs, or to prevent a substantial risk of death of the mother.

Proposed law provides for severability.

Proposed law provides that proposed law shall be effective relative to the appropriation of Medicaid funds, to the extent consistent with any executive order by the President of the United States, federal statute, appropriation rider, or federal regulation that sets forth the limited circumstances in which States must fund abortion to remain eligible to receive federal Medicaid funds.

(Amends R.S. 14:87; adds R.S. 40:1299.30)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill.

1. Makes the effective date of this Act contingent on either a U.S. Supreme Court decision overturning Roe v. Wade, in whole or in part, or the adoption of a U.S. Constitutional amendment that allows states to prohibit abortions.
2. Inserts a severability clause.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the reengrossed bill.

1. Removes repeal of present law provisions (R.S. 40:1299.31 through R.S. 40:1299.35.18).
2. Adds provisions relative to continued eligibility to receive Medicaid funds.
3. Adds provision authorizing an abortion if there is permanent impairment of the function of a life sustaining organ or organs, or to prevent a substantial risk of death of a pregnant woman.
4. Makes changes to provide with respect to fetal "stages" rather than "ages".
5. Makes the effective date of entire Act contingent on either a U.S. Supreme Court decision overturning Roe v. Wade, in whole or in part, or the adoption of a U.S. Constitutional amendment that allows states to prohibit abortions.