

New law prohibits employees of and representatives acting on behalf of organizations that perform elective abortions, and employees and representatives of affiliates of such organizations, from engaging in any of the following activities:

- (1) Presenting or otherwise delivering any instruction or program on any health topic, including but not limited to human sexuality or family planning, to students at a public elementary or secondary school, or at a charter school that receives state funding.
- (2) Providing any materials or media regarding human sexuality or family planning for distribution or viewing at a public elementary or secondary school, or of a charter school that receives state funding, regardless of the topic or viewpoint of such materials or media, if the materials or media are created by or bear the identifying mark of an abortion provider or its affiliate.

New law provides that for purposes of new law, "affiliate" means an organization, individual, or any other entity that has a legal relationship with another organization, individual, or any other entity, and such relationship is created or governed by at least one written instrument that demonstrates one or more of the following:

- (1) Common ownership, management, or control.
- (2) The existence of a franchise.
- (3) The granting or extension of a license or other agreement that authorizes the affiliate to use a common brand name, trademark, service mark, or other registered identification mark.

New law stipulates that the provisions of new law shall not apply to any hospital licensed in accordance with existing law.

New law provides that any abortion provider or affiliate of an abortion provider whose employee or representative violates new law shall be subject to imposition of a monetary penalty established by rule by DHH. Requires DHH to consider such violation in any action relative to issuance of a license for the abortion provider.

Effective Aug. 1, 2014.

(Adds R.S. 40:1299.35)