

2018 Regular Session

HOUSE BILL NO. 273

BY REPRESENTATIVES HOFFMANN, ABRAHAM, AMEDEE, ANDERS, BACALA, BAGLEY, BARRAS, BERTHELOT, CHAD BROWN, TERRY BROWN, CARMODY, CHANEY, CONNICK, COX, CREWS, DANAHAY, DAVIS, EMERSON, FALCONER, GAROFALO, GISCLAIR, GUINN, HALL, LANCE HARRIS, HAZEL, HENSGENS, HILFERTY, HODGES, HORTON, HUVAL, JACKSON, JOHNSON, LEBAS, MAGEE, MIGUEZ, JAY MORRIS, MUSCARELLO, POPE, PYLANT, RICHARD, SCHEXNAYDER, STAGNI, STOKES, THOMAS, AND WHITE AND SENATORS BARROW AND WALSWORTH

1 AN ACT

2 To amend and reenact R.S. 40:1061.25(A), relative to regulation of abortion; to provide
3 relative to the requirement for post-abortion interment or cremation of human
4 remains; to provide for an exception to such requirement; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1061.25(A) is hereby amended and reenacted to read as follows:

8 §1061.25. Remains; disposal in accordance with applicable regulations;
9 post-abortion harvesting of fetal organs prohibited; penalties

10 A.(1) Each physician who performs or induces an abortion which does not
11 result in a live birth shall ~~insure~~ ensure that the remains of the child are disposed of
12 by interment or cremation, in accordance with the provisions of R.S. 8:651 et seq.,
13 except in the case of an abortion induced by the administration of medications when
14 the evacuation of any human remains occurs at a later time, neither in the presence
15 of the inducing physician nor at the facility in which the physician administered the
16 inducing medications.

17 (2) The department shall promulgate in accordance with the Administrative
18 Procedure Act all rules as are necessary to facilitate the transfer and burial of aborted

1 human remains in a manner consistent with the transfer and burial of unclaimed
2 human remains.

3 * * *

4 Section 2. This Act shall become effective upon signature by the governor or, if not
5 signed by the governor, upon expiration of the time for bills to become law without signature
6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
7 vetoed by the governor and subsequently approved by the legislature, this Act shall become
8 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____