

2024 Regular Session

HOUSE BILL NO. 245

BY REPRESENTATIVE FREEMAN

ABORTION: (Constitutional Amendment) Provides relative to decisionmaking in reproductive healthcare

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A JOINT RESOLUTION

Proposing to amend and reenact Article I, Section 20.1 of the Constitution of Louisiana, to provide rights and protections for an individual's pregnancy-related decisions; to prohibit government interference in an individual's pregnancy; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article I, Section 20.1 of the Constitution of Louisiana, to read as follows:

§20.1. Abortion

~~Section 20.1. To protect human life, nothing in this constitution shall be construed to secure or protect a right to abortion or require the funding of abortion.~~

(A) All persons have the right to decide and implement their decisions regarding reproductive healthcare including but not limited to contraception, fertility treatment, pregnancy continuation, miscarriage care, abortion care, and birthing options.

(B) All persons have the right to be treated with dignity and respect regarding their reproductive healthcare decisions and the conditions in which they exercise those rights.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1           (C) The state shall not penalize or discriminate against an individual  
2           voluntarily exercising rights provided in this Section or an individual or entity  
3           assisting another in exercising these rights unless the state demonstrates it is properly  
4           and effectively using the least restrictive means to advance an individual's health in  
5           accordance with widely accepted and evidence based standards of care.

6           (D) No person shall be subject to actions, prosecution, or punishment for an  
7           actual, potential, perceived, or alleged pregnancy resulting in a miscarriage, stillbirth,  
8           abortion, or other pregnancy-related outcomes.

9           (E) For the purposes of this Section, "state" means any governmental entity  
10          or political subdivision.

11          Section 2. Be it further resolved that this proposed amendment shall be submitted  
12 to the electors of the state of Louisiana at the statewide election to be held on November 5,  
13 2024.

14          Section 3. Be it further resolved that on the official ballot to be used at the election,  
15 there shall be printed a proposition, upon which the electors of the state shall be permitted  
16 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as  
17 follows:

18                 Do you support an amendment to protect individual rights regarding  
19                 reproductive healthcare decisions and to prohibit prosecution or punishment  
20                 against individuals who exercise that right? (Amends Article I, Section 20.1)

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 245 Original

2024 Regular Session

Freeman

**Abstract:** Provides rights and protections from the state for an individual and those who assist in an individual's pregnancy-related decisions or outcomes.

Present constitution provides that a right to abortions or funding of abortions shall not be construed or secured by present constitution.

Proposed constitutional amendment provides rights to individuals regarding their pregnancy-related decisions.

Proposed constitutional amendment prohibits government interference and punishment of an individual and others who assist in an individual's pregnancy-related decisions or outcomes.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 5, 2024.

(Amends Const. Art. I, §20.1)