

SENATE BILL NO. 90

BY SENATORS MILLS, APPEL, BROOME, CORTEZ, CROWE, JOHNS, LONG, MARTINY, NEVERS, PEACOCK, PERRY, RISER, TARVER, THOMPSON AND WARD AND REPRESENTATIVES ADAMS, ANDERS, BARROW, BROADWATER, BURFORD, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, CHANEY, COX, DOVE, FRANKLIN, GAROFALO, GISCLAIR, GUILLORY, HARRISON, HAVARD, HAZEL, HENRY, HENSGENS, HILL, HODGES, HOFFMANN, HONORE, HOWARD, IVEY, KATRINA JACKSON, JOHNSON, LEBAS, LORUSSO, MILLER, MONTOUCET, JAY MORRIS, ORTEGO, POPE, PUGH, PYLANT, REYNOLDS, RICHARD, SEABAUGH, SIMON, ST. GERMAIN, STOKES, TALBOT, THIBAUT, THOMPSON, WHITNEY, PATRICK WILLIAMS AND WILLMOTT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 40:1299.35.1(7), 1299.35.2(A), 1299.35.19(introductory paragraph) and (1) and to enact R.S. 40:1299.35.2.1, relative to abortions; to amend the definition of "physician"; to provide for certain requirements which must be met by a physician who performs an abortion; to provide for drugs or chemicals used; to provide for penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1299.35.1(7), 1299.35.2(A), 1299.35.19(introductory paragraph) and (1) are hereby amended and reenacted and R.S. 40:1299.35.2.1 is hereby enacted to read as follows:

§1299.35.1. Definitions

As used in R.S. 40:1299.35.0 through 1299.35.19, the following words have the following meanings:

* * *

(7) "Physician" means a person licensed to practice medicine in the state of Louisiana **who meets the requirements of R.S. 40:1299.35.2.**

* * *

§1299.35.2. Abortion by physician; determination of viability; ultrasound test required; exceptions; penalties

1 violation of this Part shall be admissible in a civil suit as prima facie evidence of a
 2 failure to comply with the requirements of this Part. When requested, the court shall
 3 allow a woman to proceed using solely her initials or a pseudonym and may close
 4 any proceedings in the case and enter other protective orders to preserve the privacy
 5 of the woman upon whom the abortion was performed.

* * *

7 Section 2. If any provision or item of this Act, or the application thereof, is held
 8 invalid, such invalidity shall not affect other provisions, items, or applications of the Act
 9 which can be given effect without the invalid provision, item, or application and to this end
 10 the provisions of this Act are hereby declared severable.

11 Section 3. This Act shall become effective upon signature by the governor or, if not
 12 signed by the governor, upon expiration of the time for bills to become law without signature
 13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 14 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 15 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____