

Bill No.: HB0152 **Effective:** **Immediately**

LSO No.: **23LSO-0627**

Enrolled Act No.: HEA No. 0088

Chapter No.: 184

Prime Sponsor: Rodriguez-Williams

Catch Title: **Life is a Human Right Act.**

Subject: Prohibiting abortion and specifying penalties for violations.

Summary/Major Elements:

- This act prohibits any person from knowingly administering, prescribing or selling any medicine, drug or other substance to, or from knowingly using or employing any instrument, device, means or procedure upon, any pregnant woman with the specific intent of causing or abetting an abortion.
- The prohibition does not apply to licensed physicians who:
 - Perform a pre-viability separation procedure necessary in the physician's reasonable medical judgment to prevent the death of the pregnant woman after making all reasonable medical efforts to preserve the life of the woman and the unborn baby.
 - Provide medical treatment to a pregnant woman that results in an accidental or unintentional injury or death of the unborn baby.
 - Perform an abortion on a woman whose pregnancy is the result of incest or sexual assault, provided that the woman (or her parent or guardian if a minor) reports the incest or sexual assault to law enforcement.
 - Perform an abortion on a woman if there is a substantial likelihood that the unborn baby has a lethal fetal anomaly or if the pregnancy is a molar pregnancy.
- For purposes of this act, an abortion does not include (1) any prescription or means used to save or preserve the unborn baby, (2) removal of a dead unborn baby caused by spontaneous abortion or intrauterine fetal demise, (3) treatment for an ectopic pregnancy; and (4) treatment for cancer or another disease requiring medical treatment that may be fatal or harmful for the unborn baby.
- The act provides that a violation of the act is a felony punishable by five (5) years' imprisonment, a fine of up to twenty thousand dollars (\$20,000.00), or both. The act authorizes professional sanctions and civil penalties against physicians or other licensed persons who intentionally, knowingly or recklessly violate the act.

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- The act authorizes civil actions for violations of the act and specifies who may initiate an action.
- The act renumbers current provisions related to abortions and repeals 2022 House Bill 92, the abortion "trigger bill" that took effect upon the United States Supreme Court's decision in Dobbs v. Jackson Women's Health Org., 142 S. Ct. 2228 (2022).

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