

Messaging Guidance on HB 54 "Adoption Deception"

Lift Louisiana opposes the bill because the criminal penalties included are extreme and it has the potential to be enforced in a way where someone could be prosecuted for changing their mind about giving their baby up for adoption.

The bill threatens to punish people mistakenly thinking they are pregnant.

This bill targets people that “should have known” they were not pregnant when entering into an adoption agreement. Louisiana politicians have discouraged sexual and reproductive health education and access to health care, but now want to punish people for not having knowledge about their reproduction. It is also unclear what standard a prosecutor would use to determine whether the person should have known.

This bill threatens people with criminal prosecution for changing their mind about the adoption.

Accusing people of criminal behavior that includes the penalty of prison for changing their mind about whether to place their child for adoption could coerce people who decide they want to parent to give up their children.

All people have a human right to determine when and whether to become parents, regardless of whether they have entered an adoption agreement or accepted payments for expenses. A decision about whether to consent to adoption must never be coerced or threatened by prosecution.

This bill could discourage adoption.

This bill claims to target people who are not pregnant or who don't intend to give up their parental rights. However, the threat of prosecution and prison could have a chilling effect on a person's decision to enter into an adoption agreement if they believe they could be accused of a crime for ultimately deciding to parent the child when it is born.

This bill perpetuates a narrative that women are inherently untrustworthy and that they lie about reproduction.

This bill could coerce reproductive decision-making.

This bill potentially creates coercive barriers to abortion for people who determine that they don't want to continue the pregnancy or cannot safely continue because the pregnancy threatens their health.

This bill is unnecessary and conflicts with existing law.

Louisiana law already allows for prospective adoptive parent to seek reimbursement of payments made under adoption agreements if:

the person accepting payment knows that the mother on whose behalf payment is accepted is not pregnant at the time of the receipt of payments or that the mother is accepting payments concurrently from more than one prospective adoptive parent without the knowledge of the prospective adoptive parent who is seeking reimbursement.

Louisiana law is clear that payment of expenses “may not be made contingent on the placement of a child for adoption, relinquishment of the child, or consent to the adoption.” See: [Children's Code Art. 1200; Rev. Stat. § 14:286](#)