

76-7-302 Circumstances under which abortion authorized.

- (1) As used in this section, "viable" means that the unborn child has reached a stage of fetal development when the unborn child is potentially able to live outside the womb, as determined by the attending physician to a reasonable degree of medical certainty.
- (2) An abortion may be performed in this state only by a physician.
- (3) An abortion may be performed in this state only under the following circumstances:
 - (a) the unborn child is not viable; or
 - (b) the unborn child is viable, if:
 - (i) the abortion is necessary to avert:
 - (A) the death of the woman on whom the abortion is performed; or
 - (B) a serious risk of substantial and irreversible impairment of a major bodily function of the woman on whom the abortion is performed;
 - (ii) two physicians who practice maternal fetal medicine concur, in writing, in the patient's medical record that the fetus has a defect that is uniformly diagnosable and uniformly lethal;
or
 - (iii)
 - (A) the woman is pregnant as a result of:
 - (I) rape, as described in Section 76-5-402;
 - (II) rape of a child, as described in Section 76-5-402.1; or
 - (III) incest, as described in Subsection 76-5-406(10) or Section 76-7-102; and
 - (B) before the abortion is performed, the physician who performs the abortion:
 - (I) verifies that the incident described in Subsection (3)(b)(iii)(A) has been reported to law enforcement; and
 - (II) complies with the requirements of Section 62A-4a-403.

Amended by Chapter 13, 2010 General Session