

**Representative J. Morgan Philpot** proposes the following substitute bill:

**PROHIBITION OF PUBLIC FUNDING FOR  
ABORTION**

2003 GENERAL SESSION

STATE OF UTAH

**Sponsor: J. Morgan Philpot**

**This act modifies the offenses against the family section of the Utah Criminal Code. The act prohibits the state and political subdivisions from using public funds for the performance of an abortion, and provides a penalty.**

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

**76-7-326**, Utah Code Annotated 1953

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **76-7-326** is enacted to read:

**76-7-326. Public funding of abortion forbidden.**

(1) Public funds of the state, its institutions, or its political subdivisions may not be used to pay or otherwise reimburse, either directly or indirectly, any person, agency, or facility for the performance of any induced abortion service, unless:

(a) in the professional judgment of the pregnant woman's attending physician, the abortion is necessary to save the pregnant woman's life;

(b) the pregnancy is the result of rape or incest reported to law enforcement agencies, unless the woman was unable to report the crime for physical reasons or fear of retaliation; or

(c) in the professional judgment of the pregnant woman's attending physician, the abortion is necessary to prevent permanent, irreparable, and grave damage to a major bodily

function of the pregnant woman. This provision shall not be construed to allow direct or indirect funds to be used for conditions of mental, psychological, or emotional harm, illness, or



26 distress.

27 (2) If a state agency violates Subsection (1), the Legislature may eliminate any or all of  
28 the public funds provided to the state agency.

29 (3) Any person who knowingly authorizes the use of the funds prohibited by this  
30 section may be criminally charged. If the offender is an officer or employee of the state, he  
31 may be dismissed from his office or position and his employment may be terminated.