

1st Sub. H.B. 90

ABORTION LAW AMENDMENTS

Representative **Paul Ray** proposes the following amendments:

1. *Page 1, Lines 14 through 22:*

▶ defines the term "viable";

14 ▶ provides that an abortion may only be performed in this state if:
15 • the unborn child is not viable ~~{to survive outside the mother's womb}~~ ; or
16 • the unborn child is viable ~~{to survive outside the mother's womb}~~ , if the abortion
17 is necessary to avert the death of the woman on whom the abortion is
18 performed, the abortion is necessary to avert a serious risk of substantial and
19 irreversible impairment of a major bodily function of the woman, or ~~{the~~
20 ~~abortion is performed, under certain circumstances, on an unborn child who has~~
21 ~~a naturally occurring medical condition that makes it highly unlikely that the~~
22 ~~child will survive more than 24 hours after birth}~~ two physicians who practice maternal fetal
medicine concur, in writing, that the fetus has a defect that is uniformly diagnosable and uniformly lethal
= ;

2. *Page 2, Line 47:*

(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 by natural or artificial life-supportive systems, as determined by the attending physician to a reasonable degree of medical certainty.

47 ~~{(1)}~~ (2) An abortion may be performed in this state only by a physician licensed to practice

3. *Page 2, Line 52:*

52 ~~{(2)}~~ (3) An abortion may be performed in this state only under the following circumstances:

4. *Page 3, Lines 71 through 72:*

71 (a) the unborn child is not viable ~~{to survive outside the mother's womb}~~ ; or

72 (b) the unborn child is viable ~~{to survive outside the mother's womb}~~ , if:

5. *Page 3, Lines 77 through 86:*

77 ~~{(ii)(A) the abortion is performed on an unborn child who has a naturally occurring~~
78 ~~medical condition that makes it highly unlikely that the child will survive more than 24 hours~~

79 after birth; and
80 —— (B) there is not a medically acceptable intervention or procedure that:
81 —— (I) may be performed before or after the child's birth;
82 —— (H) may be performed without risk to the health of the woman on whom the abortion is
83 performed; and
84 —— (III) has a reasonable chance of extending the child's life beyond 24 hours. }
(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.
85 { ~~(3)~~ } (4) Notwithstanding any other provision of this section, a woman who seeks to have, or
86 obtains, an abortion for herself is not criminally liable.

6. Page 4, Line 105:

105 Subsection 76-7-302 { ~~(2)~~ } (3) .