

1st Sub. H.B. 171
ABORTION CLINIC LICENSING

Representative **Carl Wimmer** proposes the following amendments:

1. *Page 1, Lines 14 through 15:*

14 ▶ **subject to certain exceptions,** requires annual licensing for abortion clinics that provide
 abortions during the first
15 and second trimesters of pregnancy;

2. *Page 6, Lines 159 through 170:*

159 (23) **(a)** "Type I abortion clinic" means **, except as provided in Subsection (23)(b),** a facility,
 including a physician's office, but not
160 including a general acute or specialty hospital, that:
161 ~~**(a)**~~ **(i)** performs abortions, as defined in Section 76-7-301, during the first trimester of
162 pregnancy; and
163 ~~**(b)**~~ **(ii)** does not perform abortions, as defined in Section 76-7-301, after the first trimester
164 of pregnancy.

(b) "Type I abortion clinic" does not include a facility or physician's office that only performs abortions:

(i) that are 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) of a fetus that has a defect that is documented by a physician or physicians to be uniformly diagnosable and uniformly lethal; or

(iii) where:

(A) the woman is pregnant as a result rape, as described in Section 76-5-402, rape of a child, as described in Section 76-5-402.1, or 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 verifies that the incident described in Subsection (23)(b)(iii)(A) has been reported to law enforcement and complies with the requirements of Section 62A-4a-403.

165 (24) **(a)** "Type II abortion clinic" means **, except as provided in Subsection (24)(b),** a facility,
 including a physician's office, but not
166 including a general acute or specialty hospital, that:
167 ~~**(a)**~~ **(i)** performs abortions, as defined in Section 76-7-301, after the first trimester of
168 pregnancy; or

169 ~~(b)~~ (ii) performs abortions, as defined in Section 76-7-301, during the first trimester of
170 pregnancy and after the first trimester of pregnancy.

(b) "Type II abortion clinic" does not include a facility or physician's office that only performs abortions:

(i) that are 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) of a fetus that has a defect that is documented by a physician or physicians to be uniformly diagnosable and uniformly lethal; or

(iii) where:

(A) the woman is pregnant as a result rape, as described in Section 76-5-402, rape of a child, as described in Section 76-5-402.1, or 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 verifies that the incident described in Subsection (24)(b)(iii)(A) has been reported to law enforcement and complies with the requirements of Section 62A-4a-403.