

S.B. 234

PROTECTING UNBORN CHILDREN AMENDMENTS

Representative **Keven J. Stratton** proposes the following amendments:

1. *Page 10, Lines 288 through 300*

House Floor Amendments

3-10-2016:

288 76-7-308.5. Administration of anesthetic or analgesic to an unborn child.

289 A physician who performs an abortion of an unborn child who is at least 20 weeks
290 gestational age shall administer an anesthetic or analgesic to eliminate or alleviate organic pain
291 to the unborn child [~~that may be~~] caused by the particular method of abortion to be employed,
292 [~~if the woman having the abortion consents to the administration of an anesthetic or analgesic~~
293 ~~to the unborn child;~~] unless:

294 (1) ~~Ŝ~~→ [the treating physician is prevented from administering the anesthetic or analgesic by
295 a medical emergency[.]; or] the abortion is necessary to avert:

295a (a) the death of the woman on whom the abortion is performed; or

295b (b) a serious risk of substantial and irreversible impairment of a major bodily function
295c of the woman on whom the abortion is performed; {~~Ĥ~~→ or ←~~Ĥ~~}

295d (2) ~~Ĥ~~→ [the abortion is performed because the fetus has a defect that is uniformly
295e diagnosable and uniformly lethal, based on the written concurrence of two physicians who
295f practice maternal fetal medicine; or ←~~Ĥ~~ ←~~Ŝ~~ **the abortion is performed because the fetus has a defect**
that is uniformly diagnosable and uniformly lethal, based on the written concurrence of two physicians
who practice maternal fetal medicine; or

(3)

296 ~~Ĥ~~→ [~~Ŝ~~→ [~~(2)~~] (3) ←~~Ŝ~~] ←~~Ĥ~~ the treating physician and one other physician concur, in writing,
296a that the
297 administration of an anesthetic or analgesic would:

298 (a) cause the death of the woman on whom the abortion is performed; or

299 (b) create a serious risk of substantial ~~Ĥ~~→ [and] or ←~~Ĥ~~ irreversible impairment of a
299a major bodily
300 function of the woman on whom the abortion is performed.