

Senator Ron Allen proposes the following substitute bill:

1 **PARTIAL BIRTH ABORTION AMENDMENTS**

2 2003 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Mike Thompson**

5 **This act modifies the Health and Human Services Code. The act prohibits postviability**
6 **abortion except in cases where an attending physician determines it is medically**
7 **necessary. The act limits civil liability.**

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

9 ENACTS:

10 **76-7-326**, Utah Code Annotated 1953

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

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

13 **76-7-326. Late term abortion restrictions.**

14 (1) It is unlawful, in or affecting interstate foreign commerce, to knowingly perform an
15 abortion after the fetus has become viable.

16 (2) This section does not prohibit any abortion if, in the medical judgment of the
17 attending physician, the abortion is necessary to preserve the life of the woman or to avert
18 serious adverse health consequences to the woman.

19 (3) A physician who violates this section shall be subject to a civil penalty not to
20 exceed \$10,000. The civil penalty provided by this subsection is the exclusive remedy for a
21 violation of this section.

