

2nd Sub. H.B. 235
ABORTION LAW REVISIONS

Senator **Curtis S. Bramble** proposes the following amendments:

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

- 14 ▶ provides that, if Roe v. Wade is overturned, the provisions of this bill will
15 immediately be in effect and will supercede conflicting provisions of the Utah
16 Code;
- 17 ▶ provides that, if Roe v. Wade is overturned, no person may perform an abortion,
18 unless:
- 19 • it is necessary in order to avert a woman's death or to avert a serious risk to a
20 woman of substantial and irreversible impairment of a major bodily function; {~~or~~}
- 21 • the woman is pregnant as the result of incest or rape that is reported to law
22 enforcement before the abortion is performed and the abortion is performed while the unborn child is
under 20 weeks gestational age ; or
- the unborn child has a medical condition that makes it highly unlikely that the unborn
child will survive more than 24 hours after birth and there is not a medically acceptable intervention or
procedure that may be performed without undue risk to the mother's health and that has a reasonable
chance of extending the unborn child's life beyond 24 hours;

2. *Page 1, Lines 23 through 25:*

- 23 ▶ addresses the confidentiality of the name of a victim of incest or rape; and
- 24 ▶ provides a severability clause; {~~and~~
- 25 ▶ includes legislative intent for the appropriations made in this bill } .

3. *Page 2, Lines 27 through 29:*

- 27 {~~This bill appropriates:~~
- 28 ▶ ~~as a one time appropriation, \$173,000; and~~
- 29 ▶ ~~as ongoing appropriations, \$2,640,600.~~ } None

4. *Page 2, Line 49 through Page 3, Line 61:*

- 49 (3) Subject to Subsection (1), no person may perform an abortion unless:
- 50 (a) a medical condition exists that, on the basis of the attending physician's good faith
51 clinical judgment, so complicates the medical condition of a woman as to necessitate the
52 abortion of her pregnancy to avert:

53 (i) the woman's death; or
 54 (ii) a serious risk of substantial and irreversible impairment of a major bodily function
 55 of the woman: {~~or~~}
 56 (b) (i) the woman upon whom the abortion is performed is pregnant as a result of:
 57 (A) incest, as defined in Subsection 76-5-406(10) or Section 76-7-102;
 58 (B) rape, as defined in Section 76-5-402; or
 59 (C) rape of a child, as defined in Section 76-5-402.1; ~~{and}~~}
 60 (ii) the incident described in Subsection (3)(b)(i) is reported to a law enforcement
 61 agency before the abortion is performed {~~.~~} ~~; and~~
(iii) ~~the unborn child is under 20 weeks gestational age; or~~
(c) ~~on the basis of the attending physician's good faith clinical judgment;~~
(i) ~~the unborn child has a medical condition that makes it highly unlikely that the unborn child~~
~~will survive more than 24 hours after birth; and~~
(ii) ~~there is not a medically acceptable intervention or procedure that:~~
(A) ~~may be performed before or after the child's birth;~~
(B) ~~may be performed without undue risk to the mother's health; and~~
(C) ~~has a reasonable chance of extending the unborn child's life beyond 24 hours.~~

5. Page 3, Line 75 through Page 4, Line 92:

75 {~~———— Section 2. One time appropriation for Early Intervention Services -- Ongoing~~
 76 ~~appropriations for Early Intervention Services and Utah Birth Defect Network --~~
 77 ~~Legislative intent.~~
 78 ~~———— (1) As a one time appropriation, there is appropriated for the fiscal year 2006-07,~~
 79 ~~\$173,000 from the General Fund to the Department of Health, Children with Special Health~~
 80 ~~Care Needs, for Early Intervention Services;~~
 81 ~~———— (2) As on ongoing appropriation, subject to future budget constraints, there is~~
 82 ~~appropriated for the fiscal year 2007-08, \$360,000 from the General Fund to the Department of~~
 83 ~~Health, Children with Special Health Care Needs, for Early Intervention Services;~~
 84 ~~———— (3) As on ongoing appropriation, subject to future budget constraints, there is~~
 85 ~~appropriated for the fiscal year 2007-08, \$2,280,600 from the General Fund to the Department~~
 86 ~~of Health, Community and Family Health Services, for the Utah Birth Defect Network;~~
 87 ~~———— (4) It is the intent of the Legislature that the appropriations described in Subsections (1)~~
 88 ~~and (2) will assist families who have children with special needs, thereby encouraging pregnant~~
 89 ~~women to not seek an abortion to avoid the birth of a child who has birth defects;~~
 90 ~~———— (5) It is the intent of the Legislature that the appropriation described in Subsection (3)~~
 91 ~~will reduce the incidence of birth defects, thereby reducing the number of abortions of unborn~~
 92 ~~children that are performed to avoid the birth of a child with birth defects.}~~