

BILL SUMMARY
2nd Session of the 58th Legislature

Bill No.:	HB3700
Version:	INT
Request Number:	10251
Author:	Russ
Date:	2/22/2022
Impact:	No impact

Research Analysis

HB 3700 prohibits a physician from performing or inducing an abortion on a pregnant woman unless the physician has determined whether the woman's unborn child has a detectable heartbeat. In making such determination, the physician is required to use a test with certain conditions. If a fetal heartbeat is detected for the unborn child, the physician is prohibited from performing or inducing an abortion.

The measure specifies that a physician will not be in violation of this provision if the physician performed a test for a fetal heartbeat as required by this act and did not detect a fetal heartbeat. This act will not affect any provision of state law that regulates or prohibits abortion.

The measure provides an exception to this bill if the physician believes a medical emergency exists that prevents compliance with this act. Certain written notations in the pregnant woman's medical record are required by physicians who perform or induce an abortion under circumstances described in this act. The bill provides the criteria for and prohibiting certain enforcement.

The requirements of this measure will be enforced exclusively through private civil actions described in this act. The measure allows any person other than an officer or employee of a state or local government entity to bring a civil action against any person who

- performs an abortion in violation of this act;
- knowingly engages in conduct that aids or abets the performance or inducement of an abortion;
- intends to engage in the conduct described in this provision.

The measure provides liabilities for court costs and attorney's fees. Lastly, the measure prohibits the use of certain defenses.

Prepared By: Dan Brooks

Fiscal Analysis

After review, HB3700 has no fiscal considerations to the state.

Prepared By: Stacy Johnson

Other Considerations

None.

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