



1       2. ~~"Medical emergency" means a condition which cannot be~~  
2 ~~remedied by delivery of the child in which an abortion is necessary~~  
3 ~~to preserve the life of a pregnant woman whose life is endangered by~~  
4 ~~a physical disorder, physical illness or physical injury including a~~  
5 ~~life-endangering physical condition caused by or arising from the~~  
6 ~~pregnancy itself.~~

7       B. 1. Notwithstanding any other provision of law, a person  
8 shall not purposely perform or attempt to perform an abortion ~~except~~  
9 ~~to save~~ unless necessary to preserve the life of a pregnant woman ~~in~~  
10 ~~a medical emergency.~~ The person performing or attempting to perform  
11 an abortion shall prioritize preserving both the life of the  
12 pregnant woman and the life of the baby, if however, the person  
13 judges the birth of the baby to be a threat to the life of the  
14 pregnant woman, then an abortion may be performed to preserve the  
15 life of the pregnant woman.

16       2. A person convicted of performing or attempting to perform an  
17 abortion shall be guilty of a felony punishable by a fine not to  
18 exceed One Hundred Thousand Dollars (\$100,000.00), or by confinement  
19 in the custody of the Department of Corrections for a term not to  
20 exceed ten (10) years, or by both such fine and imprisonment.

21       3. This section does not:

- 22           a. authorize the charging or conviction of a woman with  
23                 any criminal offense in the death of her own unborn  
24                 child, or

1           b.   prohibit the sale, use, prescription or administration  
2                   of a contraceptive measure, drug or chemical if the  
3                   contraceptive measure, drug or chemical is  
4                   administered before the time when a pregnancy could be  
5                   determined through conventional medical testing and if  
6                   the contraceptive measure, drug or chemical is sold,  
7                   used, prescribed or administered in accordance with  
8                   manufacturer instructions.

9           4.   It is an affirmative defense to prosecution under this  
10           section if a licensed physician provides medical treatment to a  
11           pregnant woman which results in the accidental or unintentional  
12           injury or death to the unborn child.

13           SECTION 2.  It being immediately necessary for the preservation  
14           of the public peace, health or safety, an emergency is hereby  
15           declared to exist, by reason whereof this act shall take effect and  
16           be in full force from and after its passage and approval.

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18           COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES  
19           OVERSIGHT, dated 02/26/2025 - DO PASS.  
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