

S.317

An act relating to repealing the unconstitutional Vermont statutes related to the performance of abortions

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 13 V.S.A. chapter 3 is amended to read:

~~CHAPTER 3. ABORTION~~

~~§ 101. DEFINITION AND PUNISHMENT~~

~~A person who wilfully administers, advises or causes to be administered anything to a woman pregnant, or supposed by such person to be pregnant, or employs or causes to be employed any means with intent to procure the miscarriage of such woman, or assists or counsels therein, unless the same is necessary to preserve her life, if the woman dies in consequence thereof, shall be imprisoned not more than 20 years nor less than five years. If the woman does not die in consequence thereof, such person shall be imprisoned not more than 10 years nor less than three years. However, the woman whose miscarriage is caused or attempted shall not be liable to the penalties prescribed by this section. [Repealed.]~~

~~§ 102. DYING DECLARATION AS EVIDENCE~~

~~In all prosecutions under the provisions of section 101 of this title, the dying declaration of the woman whose death is produced by any of the means set~~

~~forth in such section may be admitted in evidence subject to the same restrictions as in cases of homicide. [Repealed.]~~

§ 103. JOINING WITH MURDER INDICTMENT

~~A person who is indicted for the murder of an infant child, or of a woman pregnant or supposed by such person to be pregnant, may be charged in the same indictment with the offenses under section 101 of this title, and may be found guilty of any charge in the indictment sustained by the proof, and judgment and sentence shall be awarded accordingly. [Repealed.]~~

§ 104. ADVERTISING OR DEALING IN ANYTHING TO CAUSE
MISCARRIAGE

~~A person who knowingly causes to be made public by print, writing, words or language that give any information where anything, or any advice or information, may be obtained for the purpose of causing or procuring the miscarriage of a pregnant woman, shall be imprisoned not more than 10 years nor less than three years. A person who sells or gives away anything for the purpose of producing such miscarriage shall be imprisoned not more than three years nor less than one year and fined not more than \$500.00 nor less than \$200.00, or both. [Repealed.]~~

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.