

1 H.720

2 Introduced by Representatives Rosenquist of Georgia, Bancroft of Westford,
3 Batchelor of Derby, Cupoli of Rutland City, Donahue of
4 Northfield, Gamache of Swanton, Goslant of Northfield,
5 Graham of Williamstown, Hango of Berkshire, Helm of Fair
6 Haven, LaClair of Barre Town, Martel of Waterford, Morgan of
7 Milton, Morrissey of Bennington, Palasik of Milton, Savage of
8 Swanton, Smith of Derby, Strong of Albany, and Terenzini of
9 Rutland Town

10 Referred to Committee on

11 Date:

12 Subject: Crimes and criminal procedure; reproductive rights; fetal personhood

13 Statement of purpose of bill as introduced: This bill proposes to narrow the
14 right to reproductive choice and confer legal personhood status upon a human
15 fetus beginning at 24 weeks of fetal development prior to birth for purposes of
16 the criminal statutes.

17 An act relating to establishing fetal personhood

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

19 Sec. 1. 13 V.S.A. § 15 is added to read:

20 § 15. PERSONHOOD

1 For purposes of this title, the word “person” applies to human beings
2 beginning at 24 weeks of development prior to birth until death. For purposes
3 of this section, fetal personhood shall begin at 24 weeks after the pregnant
4 individual’s last menstrual period.

5 Sec. 2. 18 V.S.A. § 9493 is amended to read:

6 § 9493. PURPOSE AND POLICY

7 (a) ~~The~~ Subject to the restrictions of this chapter, the State of Vermont
8 recognizes the fundamental right of every individual to choose or refuse
9 contraception or sterilization.

10 (b) ~~The~~ Subject to the restrictions of this chapter, the State of Vermont
11 recognizes the fundamental right of every individual who becomes pregnant to
12 choose to carry a pregnancy to term, to give birth to a child, or to have an
13 abortion.

14 (c) The State of Vermont recognizes that a human fetus at 24 weeks of
15 development and after is a person under Vermont law.

16 Sec. 3. 18 V.S.A. § 9494 is amended to read:

17 § 9494. INTERFERENCE WITH REPRODUCTIVE CHOICE PRIOR TO
18 24 WEEKS OF PREGNANCY PROHIBITED

19 (a) ~~A~~ Notwithstanding subsection 9493(c) of this title, a public entity as
20 defined in section 9496 of this title shall not, in the regulation or provision of
21 benefits, facilities, services, or information, deny or interfere with an

1 individual's fundamental rights to choose or refuse contraception or
2 sterilization or to choose to carry a pregnancy to term, to give birth to a child,
3 or to obtain an abortion.

4 (b) No State or local law enforcement shall prosecute any individual for
5 inducing, performing, or attempting to induce or perform the individual's own
6 abortion prior to 24 weeks of pregnancy.

7 Sec. 4. 18 V.S.A. § 9497 is amended to read:

8 § 9497. ABORTION; RESTRICTING ACCESS PRIOR TO 24 WEEKS

9 PROHIBITED

10 ~~A~~ Notwithstanding subsection 9493(c) of this title, a public entity shall not:

11 (1) deprive a consenting individual of the choice of terminating the
12 individual's pregnancy;

13 (2) interfere with or restrict, in the regulation or provision of benefits,
14 facilities, services, or information, the choice of a consenting individual to
15 terminate the individual's pregnancy;

16 (3) prohibit a health care provider, acting within the scope of the health
17 care provider's license, from terminating or assisting in the termination of a
18 patient's pregnancy; or

19 (4) interfere with or restrict, in the regulation or provision of benefits,
20 facilities, services, or information, the choice of a health care provider acting

1 within the scope of the health care provider's license to terminate or assist in
2 the termination of a patient's pregnancy.

3 Sec. 5. EFFECTIVE DATE

4 This act shall take effect on July 1, 2020.