

1 S.25

2 Introduced by Senator Baruth

3 Referred to Committee on

4 Date:

5 Subject: Health; abortion; right to abortion

6 Statement of purpose of bill as introduced: This bill proposes to establish the  
7 right to have an abortion.

8 An act relating to the right to have an abortion

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

10 Sec. 1. PURPOSE

11 Some constitutional scholars have stipulated that the recent shift in the  
12 composition of the U.S. Supreme Court will likely result in the invalidation of  
13 Roe v. Wade, 410 U.S. 113 (1973), which recognizes the legality of an  
14 individual's right to have an abortion under the Fourteenth amendment to the  
15 U.S. Constitution. If the Court invalidates its decision in Roe, the right to safe  
16 and legal abortion that Vermonters have come to rely on may be at risk. It is  
17 the purpose of this act to ensure that abortion remains a safe and legal  
18 procedure in Vermont for an individual to consider with their health care  
19 provider, if and when needed. Establishing a right to abortion advances the  
20 public policy goals of enhancing the health of all Vermont citizens, including

1 women of all ages, and strengthening individuals and families by encouraging  
2 and promoting access to comprehensive family planning services.

3 Sec. 2. 18 V.S.A. chapter 56 is added to read:

4 CHAPTER 56. ABORTION

5 § 2401. RIGHT TO ABORTION

6 (a) Notwithstanding any provision of law to the contrary:

7 (1) The right of an individual to terminate the individual's pregnancy  
8 shall not be impeded or restricted.

9 (2) A health care provider performing or assisting with a legal abortion  
10 procedure shall not be subject to any civil, criminal, or administrative liability  
11 or penalty.

12 (b) Any law, regulation, or ordinance that purports to impede or restrict the  
13 right of an individual to terminate her pregnancy in violation of subsection (a)  
14 of this section shall be void.

15 (c) As used in this section, "health care provider" has the same meaning as  
16 in section 9402 of this title.

17 Sec. 3. EFFECTIVE DATE

18 This act shall take effect on passage.