

1 H.57

2 Representative Bancroft of Westford moves that the bill be amended by
3 striking out Sec. 3 (effective date) in its entirety and inserting in lieu thereof
4 the following:

5 Sec. 3. 13 V.S.A. § 105 is added to read:

6 § 105. PERFORMANCE OF AN ABORTION BY INDIVIDUAL WHO IS
7 NOT A PHYSICIAN; PROHIBITION

8 (a) Definitions. As used in this section:

9 (1) “Physician” means a physician licensed in accordance with 26
10 V.S.A. chapter 23 or an osteopathic physician licensed in accordance with 26
11 V.S.A. chapter 33.

12 (2) “Surgical abortion” means the use of a surgical instrument or a
13 machine to terminate the clinically diagnosable pregnancy of an individual
14 with knowledge that the termination will cause, with reasonable likelihood, the
15 death of the unborn child. Surgical abortion does not include the use of any
16 means to increase the probability of a live birth, to preserve the life or health of
17 the child after a live birth, to terminate an ectopic pregnancy or to remove a
18 dead fetus. Surgical abortion does not include patient care incidental to the
19 procedure.

20 (b) Prohibition. An individual who is not a physician shall not perform a
21 surgical abortion.

1 (c) Penalty. A person who violates subsection (b) of this section shall be
2 imprisoned for up to five years or fined not more than \$10,000.00, or both.

3 Sec. 4. EFFECTIVE DATE

4 This act shall take effect on passage.