

1 H.57

2 Representative Rosenquist of Georgia moves that the bill be amended as
3 follows:

4 First: In Sec. 2, 18 V.S.A. chapter 223, in subsection 9493(b), after “or to
5 have an abortion”, by inserting the words “pursuant to this chapter”

6 Second: In Sec. 2, 18 V.S.A. chapter 223, by striking out section 9494
7 (interference with reproductive choice prohibited) in its entirety and inserting
8 in lieu thereof the following:

9 § 9494. ABORTION; PROHIBITED CONDUCT; LIMITATION ON

10 PROSECUTION

11 (a) A health care provider as defined in section 9493 of this title, acting
12 within his or her lawful scope of practice, may perform an abortion when, in
13 the provider's professional judgment based on the facts of the patient's case, the
14 patient is within 24 weeks from the commencement of pregnancy, or the fetus
15 is not viable, or in the provider’s reasonable medical judgment, the patient has
16 a condition that so complicates the patient’s pregnancy as to necessitate
17 abortion to avert the patient’s death or to avert serious risk of substantial and
18 irreversible physical impairment of a major bodily function.

19 (b) No person shall perform an abortion that does not meet the criteria
20 established in subsection (a) of this section. A person who violates this

1 subsection shall be imprisoned for up to five years or fined not more than
2 \$10,000.00, or both.

3 (c) Any abortion provided by a health care provider that does not meet the
4 criteria established in section (a) of this section shall constitute unprofessional
5 conduct as provided in the relevant provisions of Title 26 and shall subject the
6 health care provider to discipline pursuant to the applicable provisions of that
7 title and of 3 V.S.A. chapter 5.

8 (d) No State or local law enforcement shall prosecute any individual for
9 inducing, performing, or attempting to induce or perform the individual’s own
10 abortion.

11 Third: In Sec. 2, 18 V.S.A. chapter 223, in subdivision 9497(1) after
12 “pregnancy” by inserting the words “prior to 24 weeks from the
13 commencement of the pregnancy”

14 Fourth: In Sec. 2, 18 V.S.A. chapter 223, in subdivision 9497(2) after
15 “pregnancy” by inserting the words “prior to 24 weeks from the
16 commencement of the pregnancy”

17 Fifth: In Sec. 2, 18 V.S.A. chapter 223, subdivision 9497(3) after
18 “pregnancy” by inserting the words “prior to 24 weeks from the
19 commencement of the pregnancy”

- 1 Sixth: In Sec. 2, 18 V.S.A. chapter 223, in subdivision 9497(4) after
- 2 “pregnancy” by inserting the words “prior to 24 weeks from the
- 3 commencement of the pregnancy”