



HOUSE OF REPRESENTATIVES

HB 2800

public funding; family planning; prohibition

Sponsors: Representatives Olson, Forese, Gowan, et al.

DP Committee on Health and Human Services

DP Caucus and COW

X As Transmitted to the Governor

OVERVIEW

HB 2800 outlines the priority for distribution of public funds for family planning services and specifies that the state or any political subdivision may not contract with any person or facility that performs nonfederally qualified abortions.

HISTORY

Arizona Revised Statutes § 35-196.02 prohibits the use of public funds, tax monies, funds of any political subdivision or any federal funds passing through this state be expended for the payment of abortion procedures, unless the procedure is needed to save the life of the woman having the abortion. Additionally, no public monies or tax monies may be used directly or indirectly to pay the costs, premiums or charges associated with a health insurance policy, contract or plan that provides coverage, benefits or services related to the performance of any abortion except if the abortion is necessary to save the life of the woman or avert substantial and irreversible impairment of a bodily function of the woman having the abortion.

PROVISIONS

- Specifies that the expenditure of public monies for family planning services must be distributed in the following order:
 - To health care facilities that are owned or operated by this state or any political subdivision of this state.
 - To hospitals and federally qualified health centers.
 - To rural health clinics.
 - To health care providers whose primary area of practice is the provision of primary health services.
- Prohibits the State from entering into a contract with or making a grant to any person who performs nonfederally qualified abortions or maintains a facility where nonfederally qualified abortions are performed.
- Allows the attorney general or the county attorney to enforce this section and obtain relief in appropriate circumstances.
- Permits an entity that is eligible for the receipt of public monies to bring an action to enforce the section through the attorney general or county attorney if the expenditure or grant of public monies has resulted in a reduction of public monies available to that entity.
- Stipulates that monies recouped as a result of legal action must revert to the fund in which the monies were appropriated or granted.

HB2800

- Defines terms the terms *abortion*, *federally qualified health center*, *hospital*, *nonfederally qualified abortion*, *public monies*, and *rural health clinic*.
- Contains a severability clause and an effect on appropriation clause.