

COMMITTEE ON JUDICIARY AND PUBLIC SAFETY
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1367
(Reference to Senate engrossed bill)

1 Page 3, lines 36 and 37, strike "AS DEFINED IN SECTION 36-2151"

2 Line 38, after the period insert "FOR THE PURPOSES OF THIS PARAGRAPH,
3 "ABORTION" AND "GESTATIONAL AGE" HAVE THE SAME MEANINGS PRESCRIBED IN
4 SECTION 36-2151."

5 Page 9, line 7, strike "definition" insert "definitions"

6 Line 13, after "IF" insert "AN ABORTION IS PERFORMED AND"

7 Line 14, after "DEPARTMENT" insert "OF HEALTH SERVICES"

8 Line 17, after "DIRECTOR" insert "OF THE DEPARTMENT OF HEALTH SERVICES"

9 Page 10, line 20, strike "TEN" insert "SIX"

10 Line 21, strike the comma insert ":

11 1. "ABORTION" HAS THE SAME MEANING PRESCRIBED IN SECTION 36-2151.

12 2."

13 Line 27, strike "1." insert "(a)"

14 Line 28, strike "2." insert "(b)"

15 Line 29, strike "3." insert "(c)"

16 Line 30, strike "4." insert "(d)"

17 Between lines 30 and 31, insert:

18 "Sec. 5. Section 36-2301.01, Arizona Revised Statutes, is amended to
19 read:

20 36-2301.01. Abortion of viable fetus; requirements;
21 definitions

22 A. A physician shall not knowingly perform an abortion of a viable
23 fetus unless:

1 1. The physician states in writing before the abortion is performed
2 that the abortion is necessary to preserve the life or health of the woman,
3 specifying the medical indications for and the probable health consequences
4 of the abortion. The physician shall attach a copy of this statement to
5 any fetal death report filed pursuant to section 11-593 or fetal death
6 registration filed pursuant to section 36-329, ~~subsection C~~.

7 2. The physician uses the available method or technique of abortion
8 most likely to preserve the life and health of the fetus, unless the use of
9 such method or technique would present a greater risk to the life or health
10 of the woman than the use of another available method or technique.

11 3. The physician states in writing the available methods or
12 techniques considered, the method or technique used and the reasons for
13 choosing that method or technique. The physician shall attach a copy of
14 this statement to any fetal death report filed pursuant to section 11-593
15 or fetal death registration filed pursuant to section 36-329, ~~subsection C~~.

16 4. In addition to the physician performing the abortion, there is
17 another physician in attendance who shall take control of and provide
18 immediate medical care for a living child born as a result of the abortion.

19 5. The physician takes all reasonable steps during the performance
20 of the abortion, consistent with the procedure used and in keeping with
21 good medical practice, to preserve the life and health of the fetus, if
22 these steps do not pose an increased risk to the life or health of the
23 woman on whom the abortion is performed.

24 B. This section does not apply if there is a medical emergency.

25 C. ~~As used in~~ FOR THE PURPOSES OF this section and section
26 36-2301.02:

27 1. "Abortion" ~~means the use of an instrument, medicine or drug or~~
28 ~~other substance or device with the intent to terminate a pregnancy for~~
29 ~~reasons other than to increase the probability of a live birth, to preserve~~
30 ~~the life or health of the child after live birth, to terminate an ectopic~~
31 ~~pregnancy or to remove a dead fetus. Abortion does not include birth~~

1 ~~control devices or oral contraceptives~~ HAS THE SAME MEANING PRESCRIBED IN
2 SECTION 36-2151.

3 2. "Medical emergency" means a condition that, on the basis of the
4 physician's good faith clinical judgment, so complicates a pregnancy as to
5 necessitate the immediate abortion of the pregnancy to avoid the woman's
6 death or for which a delay will create serious risk of substantial and
7 irreversible impairment of a major bodily function.

8 ~~4.~~ 3. "Physician" means any person licensed under title 32, chapter
9 13 or 17.

10 ~~3.~~ 4. "Viable fetus" means the unborn offspring of human beings
11 that has reached a stage of fetal development so that, in the judgment of
12 the attending physician on the particular facts of the case, there is a
13 reasonable probability of the fetus' sustained survival outside the uterus,
14 with or without artificial support."

15 Renumber to conform

16 Amend title to conform

And, as so amended, it do pass

EDDIE FARNSWORTH
CHAIRMAN

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