

1 State of Arkansas *As Engrossed: S3/8/21 S3/23/21 S4/6/21*
2 93rd General Assembly **A Bill**
3 Regular Session, 2021

SENATE BILL 388

4
5 *By: Senators Beckham, D. Sullivan, Gilmore, Rapert, G. Stubblefield, D. Wallace*
6 *By: Representatives Cloud, Lundstrum, Bentley, Crawford, Gazaway, Penzo, Ray, Wooten*

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8 **For An Act To Be Entitled**

9 AN ACT TO MODIFY LAWS CONCERNING ABORTION CLINICS;
10 AND FOR OTHER PURPOSES.

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13 **Subtitle**

14 TO MODIFY LAWS CONCERNING ABORTION
15 CLINICS.

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. Arkansas Code § 20-9-302(a)(1), concerning abortion clinics
21 and health clinics, is amended to read as follows:

22 (a)(1)(A) A clinic, health center, or other facility in which ~~the~~
23 ~~pregnancies of ten (10) or more women~~ a pregnancy of a woman known to be
24 pregnant ~~are~~ is willfully terminated or aborted in any month, including
25 nonsurgical abortions, shall be licensed by the Department of Health.

26 (B) A hospital shall not perform an abortion unless the
27 abortion is to save the life of the pregnant woman in a medical emergency.

28 (C) As used in subdivision (a)(1)(B) of this section:

29 (i)(a) "Abortion" means the act of using,
30 prescribing, administering, procuring, or selling of any instrument,
31 medicine, drug, or any other substance, device, or means with the purpose to
32 terminate the pregnancy of a woman, with knowledge that the termination by
33 any of those means will with reasonable likelihood cause the death of the
34 unborn child.

35 (b) An act under subdivision (a)(1)(C)(i)(a)
36 of this section is not an abortion if the act is performed with the purpose



1 to:

2 (1) Save the life or preserve the health
3 of the unborn child;

4 (2) Remove a dead unborn child caused by
5 spontaneous abortion; or

6 (3) Remove an ectopic pregnancy; and

7 (ii) "Medical emergency" means a condition in which
8 an abortion is necessary to preserve the life of a pregnant woman whose life
9 is endangered by a physical disorder, physical illness, or physical injury,
10 including a life-endangering physical condition caused by or arising from the
11 pregnancy.

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13 */s/D. Sullivan*

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16 **APPROVED: 4/27/21**

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