

ARKANSAS SENATE
83rd General Assembly - Regular Session, 2001
Amendment Form

Subtitle of House Bill No. 1074

"AN ACT TO ASSURE WOMEN OF THEIR RIGHT TO RECEIVE ADEQUATE
INFORMATION BEFORE TERMINATING A PREGNANCY."

Amendment No. 1 to House Bill No. 1074.

Amend House Bill No. 1074 as engrossed, H1/17/01:

Page 2, line 3, delete "unborn child" and substitute "fetus"

AND

Page 2, delete line 10 and substitute the following:
"of substantial and deemed to be irreversible impairment of a major bodily
function;"

AND

Page 2, line 13, delete "unborn child" and substitute "fetus"

AND

Page 2, line 15, delete "unborn child" and substitute "fetus"

AND

Page 2, delete line 24 and substitute the following:
"(1) Prior to and in no event on the same day as the abortion,
the"

AND

Page 2, delete line 26 and substitute the following:
"is to perform the abortion, by a referring physician or by an agent of either
physician;"

AND

Page 2, delete lines 30 through 36 and substitute the following:
"abortion procedure to be employed."

AND

Page 3, delete line 1 and substitute the following:

"(C) The probable gestational age of the fetus at the"

AND

Page 3, delete lines 3 and 4 and substitute the following:

"(D) The medical risks associated with carrying the fetus to term."

AND

Page 3, delete line 24 and substitute the following:

"(3) Prior to and in no event on the same day as the abortion, the"

AND

Page 3, delete line 33 and substitute the following:

"(C)(i) That she has the option to review the printed or"

AND

Page 4, delete lines 1 and 2 and substitute the following:

"(iii) That they describe the fetus and list agencies that offer alternatives to abortion;"

AND

Page 4, delete lines 3 through 7 and substitute the following:

"(D)(i) That if the woman chooses to exercise her option to view the materials in a printed form, they shall be mailed to her, by a method chosen by the woman;"

AND

Page 4, delete lines 9 and 12 and substitute the following:

"(i) That if the woman chooses to exercise her option to view the materials via the internet, the woman shall be informed prior to and in no event on the same day as the abortion of the specific address of the internet website where"

AND

page 4, delete line 13 and substitute the following:

"(4) The information required by this subdivision (b)(3) may be"

AND

Page 4, line 25 add the following:

"(E) Before the abortion procedure is performed the physician shall confirm with the patient that the she has received information regarding:

(i) The medical risks associated with the particular abortion procedure to be employed;

(ii) The probable gestational age of the unborn child at the time the abortion is to be performed; and

(iii) The medical risks associated with carrying the fetus to term."

AND

Page 4, delete lines 18 and 20 and substitute the following:

"certifies in writing that the information described in subdivision (1) and her options described in subdivision (3) of this subsection (b) have been furnished her and that she has been informed of her option to review the information referred to in"

AND

Page 4, delete lines 24 and substitute the following:

"certification prescribed by subdivision (5) of this subsection (b).

(c) The Arkansas State Medical Board shall promulgate regulations to ensure that physicians who perform abortions, referring physicians or agents of either physician comply with all the requirements of this section (3)."

AND

Page 5, delete line 9 and substitute the following:

"anatomical and physiological characteristics of the fetus at two-week"

AND

Page 5, delete line 13 and substitute the following:

"the fetus' survival; and"

AND

Page 5, delete line 15 and substitute the following:

"development of fetuses at two-week gestational increments, provided"

AND

Page 5, delete line 19 and substitute the following:

"designed to convey only accurate scientific information about the fetus"

AND

Page 6, delete lines 11 and 12 and substitute the following:

"(2) That a delay will create a serious risk of substantial and

deemed to be irreversible impairment of a major bodily function."

AND

Page 6, delete lines 14 through 36

AND

Page 7, delete lines 1 through 36

AND

Page 8, lines 1 through 16 and substitute the following:

"SECTION 6. (a) The Department of Health shall develop and promulgate regulations regarding reporting requirements."

(b) The Center for Health Statistics of the Department of Health shall ensure that all information collected by the center regarding abortions performed in this state shall be available to the public in printed form and on a twenty-four (24) hour basis on the center's website, provided that in no case shall the privacy of a patient or doctor be compromised.

(c) The information collected by the center regarding abortions performed in this state shall be continually updated.

(d)(1) By June 3 of each year, the department shall issue a public report providing statistics on the number of women provided information and materials pursuant to this act during the previous calendar year;

(2) Each report shall also provide the statistics for all previous calendar years, adjusted to reflect any additional information received after the deadline; and

(3) The department shall take care to ensure that none of the information included in the public reports could reasonably lead to the identification of any individual who received information in accordance with subsections (1) or (3) of Section 3 of this act."

AND

Page 8, delete lines 18 through 23 and substitute the following:

"SECTION 7. Penalties.

(a)(1) A person who knowingly or recklessly performs or attempts to perform a termination of a pregnancy in violation of this act shall be subject to disciplinary action by the Arkansas State Medical Board."

AND

Page 8, line 24 delete "(c)" and substitute "(b)"

AND

Page 8, line 26 delete "(d)" and substitute "(c)"

AND

Delete SECTION 8

AND

Appropriately renumber the subsequent SECTIONS

AND

Page 10, line 10, delete "unborn children" and substitute "fetuses"

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senators P. Malone, Fitch, B. Walker

MF/CDS

CDS198

Secretary