

**Hall of the House of Representatives**  
94th General Assembly - Regular Session, 2023  
**Amendment Form**

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**Subtitle of Senate Bill No. 138**

TO REPEAL THE LICENSING REQUIREMENT OF CLINICS AND HEALTH CENTERS IN WHICH A PREGNANCY OF A WOMAN KNOWN TO BE PREGNANT IS WILLFULLY TERMINATED OR ABORTED.

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**Amendment No. 1 to Senate Bill 138**

Amend Senate Bill No. 138 as originally introduced:

Add Representatives L. Johnson, Wardlaw, Beaty Jr. as cosponsors of the bill

AND

Add Senators Crowell, B. Davis, Dees, Flippo, Gilmore, Hickey, Hill, B. Johnson, M. McKee as cosponsors of the bill

AND

Page 1, line 12, delete "ABORTED;" and substitute "ABORTED; TO DECLARE AN EMERGENCY;"

AND

Delete the subtitle in its entirety and substitute:

"TO REPEAL THE LICENSING REQUIREMENT OF CLINICS AND HEALTH CENTERS IN WHICH A PREGNANCY OF A WOMAN KNOWN TO BE PREGNANT IS WILLFULLY TERMINATED OR ABORTED; AND TO DECLARE AN EMERGENCY."

AND

Page 2, delete line 20, and substitute the following:

~~"(132) Abortion clinic license fees, § 20-9-302;~~

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that current Arkansas law requires a clinic, health center, or other facility in which a pregnancy of a woman known to be pregnant is willfully terminated or aborted in any month,



including nonsurgical abortions, to be licensed by the Department of Health; that pursuant to Dobbs v. Jackson Women's Health Organization, 597 U.S. \_\_\_\_\_ (2022) (decided June 24, 2022), overruling Roe v. Wade, 410 U.S. 113 (1973) and Planned Parenthood of Southeastern Pa. v. Casey, 505 U.S. 833 (1992), Acts 2019, No. 180, and Acts 2021, No. 309, the services described violate federal and state law; and that this act is immediately necessary to prevent any confusion about the licensing of an abortion clinic, health center, or other facility and the practices in which are detrimental and contrary to the public health, safety, and welfare of any patients and facility employees. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

The Amendment was read \_\_\_\_\_

By: Representative Burkes

JMB/JMB - 02-10-2023 12:34:25

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Chief Clerk