

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

# A Bill

SENATE BILL 871

5 By: Senators Trusty, B. Pritchard  
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## For An Act To Be Entitled

9 AN ACT TO PREVENT FORCED ABORTIONS; AND FOR OTHER  
10 PURPOSES.  
11

### Subtitle

12 AN ACT TO PREVENT FORCED ABORTIONS.  
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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18 SECTION 1. Arkansas Code Title 20, Chapter 16 is amended to add an  
19 additional subchapter to read as follows:

20 20-16-1201. Definitions.

21 As used in this subchapter, "abortion" means the use or prescription of  
22 any instrument, medicine, drug, or any other substance or device  
23 intentionally to terminate the pregnancy of a woman known to be pregnant, for  
24 a purpose other than to increase the probability of a live birth, to preserve  
25 the life or health of the child after a live birth, or to remove a dead  
26 fetus.  
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28 20-16-1202. Sign posting.

29 (a) Any private office, free-standing surgical outpatient clinic or  
30 other facility, or clinic in which abortions, other than abortions necessary  
31 to prevent the death of the pregnant female are performed shall conspicuously  
32 post in a location set forth in subsection (c) of this section so as to be  
33 clearly visible to patients a sign reading:

34 "Notice: It is against the law for anyone, regardless of  
35 their relationship to you, to force you to have an  
36 abortion. By law, we cannot perform an abortion on you



1 unless we have your freely given and voluntary consent.

2 It is against the law to perform an abortion on you against  
3 your will.”

4 (b) The sign required under subsection (a) of this section shall be  
5 printed with lettering that is legible and shall be at least three-quarter  
6 inch boldfaced type.

7 (c)(1) A facility in which abortions are performed that is a private  
8 office or a free-standing surgical outpatient clinic shall post the sign  
9 required under subsection (a) of this section in each patient waiting room  
10 and patient consultation room used by patients on whom abortions are  
11 performed.

12 (2) A hospital or any other facility in which abortions are  
13 performed that is not a private office or free-standing surgical outpatient  
14 clinic shall post the sign required under subsection (a) of this section in  
15 each patient admission area used by patients on whom abortions are performed.

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17 20-16-1203. Administrative penalties.

18 (a) Any facility that fails to post a sign required under § 20-16-1202  
19 in knowing, reckless, or negligent violation of this subchapter shall be  
20 assessed a fine of one thousand dollars (\$1,000).

21 (b) Each day on which an abortion, other than an abortion necessary to  
22 prevent the death of the pregnant female, is performed in a facility during  
23 which the sign required under this subchapter is not posted during a portion  
24 of business hours when patients or prospective patients are present is a  
25 separate violation of this subchapter.

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27 20-16-1204. Civil remedies.

28 (a) An action may be brought by or on behalf of an individual injured  
29 by the failure to post the sign required by this subchapter.

30 (b) A plaintiff in an action under this section may recover damages  
31 for emotional distress and other damages allowed by law.

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