

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

As Engrossed: H3/17/11  
**A Bill**

HOUSE BILL 1979

5 By: Representatives Westerman, Kerr  
6

7 **For An Act To Be Entitled**

8 AN ACT TO PROHIBIT ABORTIONS IN STATE-OWNED  
9 HEALTHCARE FACILITIES; AND FOR OTHER PURPOSES.  
10

11 **Subtitle**

12 AN ACT TO PROHIBIT ABORTIONS IN STATE-  
13 OWNED HEALTHCARE FACILITIES.  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code Title 20, Chapter 9, Subchapter 1 is amended  
20 to add an additional section to read as follows:

21 20-9-102. Abortions in state-owned healthcare facilities prohibited.

22 (a) A hospital, clinic, or other health facility owned or operated by  
23 the State of Arkansas, a county, a city, or other governmental entity, except  
24 the government of the United States, another state, or a foreign nation shall  
25 not:

26 (1) Provide, induce, perform or permit its facilities to be used  
27 for the provision, inducement or performance of an abortion except if  
28 necessary to avert the death of the woman;

29 (2) Lease or sell or permit the subleasing of its facilities or  
30 property to a physician or a health facility for use in the provision,  
31 inducement, or performance of an abortion, except an abortion necessary to  
32 avert the death of the woman; or

33 (3) Enter into any contract with a physician or a health  
34 facility under the terms of which the physician or the health facility agrees  
35 to provide, induce, or perform abortions, except an abortion necessary to  
36 avert the death of the woman.



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(b) Subsection (a) of this section does not preclude a hospital,  
clinic, or other health facility from:  
(1) Providing treatment for post-abortion complications; or  
(2) Permitting its facilities to be used for the provision,  
inducement, or performance of an abortion if the services are made available  
as a condition of the receipt of federal funds.

/s/Westerman