

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021

# A Bill

SENATE BILL 388

4  
5 By: Senator D. Sullivan  
6 By: Representatives Cloud, Lundstrum

## For An Act To Be Entitled

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

## Subtitle

14 TO MODIFY LAWS CONCERNING ABORTION  
15 CLINICS.

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

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 known to be pregnant are willfully  
24 terminated or aborted in ~~any~~ a month, including nonsurgical abortions, shall  
25 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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