

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

As Engrossed: H4/3/23

A Bill

HOUSE BILL 1686

5 By: Representatives Long, *McAlindon, Rose, Bentley, Milligan, Womack*
6

For An Act To Be Entitled

8 AN ACT TO CREATE THE ARKANSAS CHEMICAL ABORTIONS BAN
9 ACT; TO PROHIBIT CHEMICAL ABORTIONS; AND FOR OTHER
10 PURPOSES.
11

Subtitle

14 TO CREATE THE ARKANSAS CHEMICAL ABORTIONS
15 BAN ACT.
16
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 *SECTION 1. Arkansas Code Title 5, Chapter 61, is amended to add an*
21 *additional subchapter to read as follows:*

Subchapter 5 – Arkansas Chemical Abortions Ban Act

5-61-501. Title.

25 This subchapter shall be known and may be cited as the “Arkansas
26 Chemical Abortions Ban Act”.
27

5-61-502. Definitions.

29 As used in this subchapter:

30 (1)(A) “Abortion” means the act of using, prescribing,
31 administering, procuring, or selling of any instrument, medicine, drug, or
32 any other substance, device, or means with the purpose to terminate the
33 pregnancy of a woman, with knowledge that the termination by any of those
34 means will with reasonable likelihood cause the death of the unborn child.

35 (B) An act under subdivision (1)(A) of this section is not
36 an abortion if the act is performed with the purpose to:



1 (i) Save the life or preserve the health of the
2 unborn child;

3 (ii) Remove a dead unborn child caused by
4 spontaneous abortion; or

5 (iii) Remove an ectopic pregnancy;

6 (2) "Fertilization" means the fusion of a human spermatozoon with
7 a human ovum;

8 (3) "Medical emergency" means a condition in which an abortion
9 is necessary to preserve the life of a pregnant woman whose life is
10 endangered by a physical disorder, physical illness, or physical injury,
11 including a life-endangering physical condition caused by or arising from the
12 pregnancy itself; and

13 (4) "Unborn child" means an individual organism of the species
14 Homo sapiens from fertilization until live birth.

15
16 5-61-503. Prohibition.

17 (a) It is unlawful to prescribe, dispense, distribute, sell, or use
18 any drug for the purpose of procuring or performing an abortion on any
19 person.

20 (b) This subchapter does not apply to:

21 (1) The sale, use, prescription or administration of any
22 contraceptive agent administered before conception or before pregnancy can be
23 confirmed through conventional medical testing;

24 (2) The treatment of a natural miscarriage according to
25 currently accepted medical guidelines; or

26 (3) Treatment necessary to preserve the life of the woman in a
27 medical emergency.

28 (c) Except as provided in subsection (d) of this section, a violation
29 of subsection (a) of this section by a person is a Class D felony.

30 (d) A woman upon whom an abortion as prohibited by this subchapter is
31 performed or attempted shall not be criminally prosecuted under subsection
32 (c) of this section.

33
34 /s/Long