

HB 1307 -- ABORTION

SPONSOR: Hubrecht

This bill establishes a civil cause of action against an individual who fraudulently misrepresents himself or herself in order to obtain an abortion for a minor. An individual or physician is civilly liable to the minor and to the individual or individuals required to give consent when:

- (1) He or she uses a false governmental record or makes a fraudulent representation or statement;
- (2) He or she intentionally causes, aids, abets, or assists an unemancipated minor to obtain an abortion without the required consent; or
- (3) The physician intentionally or knowingly performs an abortion on a pregnant unemancipated minor.

A court may award damages to all of the parties adversely affected by a violation of this section including compensation for emotional injury for the parties who were not present at the act or event. The bill allows the court to award attorneys' fees, litigation costs, and punitive damages.

This bill does not allow an adult who engages in or consents to another person engaging in a sexual act with a minor, which results in the minor's pregnancy, to be awarded damages and a court of competent jurisdiction may include conduct that would be in violation of this section as specified in the bill.