

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 126, Page 1, Section A, Line 3, by inserting after said line the following:

2
3 "188.015. As used in this chapter, the following terms mean:

4 (1) "Abortion":

5 (a) The act of using or prescribing any instrument, device, medicine, drug, or any other
6 means or substance with the intent to destroy the life of an embryo or fetus in his or her mother's
7 womb; or

8 (b) The intentional termination of the pregnancy of a mother by using or prescribing any
9 instrument, device, medicine, drug, or other means or substance with an intention other than to
10 increase the probability of a live birth or to remove a dead or dying unborn child;

11 (2) "Abortion facility", a clinic, physician's office, or any other place or facility in which
12 abortions are performed or induced other than a hospital;

13 (3) "Conception", the fertilization of the ovum of a female by a sperm of a male;

14 (4) "Department", the department of health and senior services;

15 (5) "Down Syndrome", the same meaning as defined in section 191.923;

16 (6) "Gestational age", length of pregnancy as measured from the first day of the woman's
17 last menstrual period;

18 ~~[(6)]~~ (7) "Medical emergency", a condition which, based on reasonable medical judgment,
19 so complicates the medical condition of a pregnant woman as to necessitate the immediate abortion
20 of her pregnancy to avert the death of the pregnant woman or for which a delay will create a serious
21 risk of substantial and irreversible physical impairment of a major bodily function of the pregnant
22 woman;

23 ~~[(7)]~~ (8) "Physician", any person licensed to practice medicine in this state by the state
24 board of registration for the healing arts;

25 ~~[(8)]~~ (9) "Reasonable medical judgment", a medical judgment that would be made by a
26 reasonably prudent physician, knowledgeable about the case and the treatment possibilities with
27 respect to the medical conditions involved;

28 ~~[(9)]~~ (10) "Unborn child", the offspring of human beings from the moment of conception
29 until birth and at every stage of its biological development, including the human conceptus, zygote,
30 morula, blastocyst, embryo, and fetus;

31 ~~[(10)]~~ (11) "Viability" or "viable", that stage of fetal development when the life of the
32 unborn child may be continued indefinitely outside the womb by natural or artificial life-supportive
33 systems." and

34
35 Further amend said bill, Page 8, Section 188.027, Line 215, by inserting after said line the
36 following:

Action Taken _____ Date _____

1 "188.038. 1. No person shall perform or induce an abortion on a woman if the person
2 knows that the woman is seeking the abortion solely because of a prenatal diagnosis, test, or
3 screening indicating Down Syndrome or the potential of Down Syndrome in an unborn child.

4 2. No person shall perform or induce an abortion on a woman if the person knows that the
5 woman is seeking the abortion solely because of the sex or race of the unborn child.

6 3. Any physician or other person who performs or induces or attempts to perform or induce
7 an abortion prohibited by this section shall be subject to all applicable civil penalties under this
8 chapter including, but not limited to, sections 188.065 and 188.085."; and
9

10 Further amend said bill and page, Section 188.052, Line 8, by deleting the word "and"; and

11
12 Further amend said bill, page and section, Line 10, by inserting after the word "abortion" the
13 following:

14
15 "
16 (5) Certification that the attending physician does not have any knowledge that the woman
17 sought the abortion solely because of a prenatal diagnosis, test, or screening indicating Down
18 Syndrome or the potential of Down Syndrome in an unborn child; and

19 (6) Certification that the attending physician does not have any knowledge that the woman
20 sought the abortion solely because of the sex or race of the unborn child"; and
21

22 Further amend said bill by amending the title, enacting clause, and intersectional references
23 accordingly.