

HB 536 -- RESPECT WOMEN'S ABORTION DECISIONS ACT

SPONSOR: Morgan

This bill changes the definition of "abortion" to any medical treatment intended to induce the termination of a pregnancy except for the purpose of producing a live birth. The bill removes the definition of "unborn child" and changes the definition of "viability" to the point in a pregnancy when, in the good faith medical judgment of a physician, or the particular facts of the case before that physician, there is a reasonable likelihood of the fetus's sustained survival outside the uterus without the application of extraordinary medical measures.

The bill prohibits the state from denying a woman's right to obtain an abortion as established by the United States Supreme Court in the decision *Roe v. Wade*, 410 U.S. 113 (1973). Notwithstanding any law to the contrary, the state must protect a woman's right to terminate a pregnancy prior to viability of the fetus or if necessary to protect a woman's life or health as determined by a licensed physician. The bill prohibits a prosecution or proceeding under state criminal law or otherwise for acts that are authorized or permitted under these provisions.

The provisions of this section must be severable, and if any phrase, clause, sentence, or provision is declared to be invalid or is preempted by federal law or regulations, the validity of the remainder of this section must not be affected.

This bill is the same as HB 1772 (2018) and HB 759 (2017).