



General Assembly

February Session, 2004

Amendment

LCO No. 5190

HB0562005190HRO

Offered by:
REP. ROWE, 123rd Dist.

To: Subst. House Bill No. 5620 File No. 495 Cal. No. 341

(As Amended by Senate Amendment Schedules "A" and "B")

"AN ACT CONCERNING THE ATTORNEY ASSISTANCE PROGRAM."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) No individual health insurance policy may
4 provide coverage for a partial birth abortion, as defined in section 503
5 of this act, unless such abortion is necessary to preserve the life or
6 health of the insured pregnant woman.

7 Sec. 502. (NEW) No group health insurance policy may provide
8 coverage for a partial birth abortion, as defined in section 503 of this
9 act, unless such abortion is necessary to preserve the life or health of
10 the insured pregnant woman.

11 Sec. 503. (NEW) (a) For the purposes of this section:

12 (1) "Physician" means a person licensed pursuant to chapter 370 or

13 371 of the general statutes or any other person legally authorized to
14 perform abortions;

15 (2) "Partial birth abortion" means an abortion in which the person
16 performing the abortion partially vaginally delivers a living intact
17 fetus before killing the fetus and completing the delivery; and

18 (3) "Vaginally delivers a living intact fetus before killing the fetus"
19 means deliberately and intentionally delivers into the vagina a living
20 intact fetus, or a portion thereof, for the purpose of performing a
21 procedure the physician knows will kill the fetus, and kills the fetus.

22 (b) No physician shall knowingly perform a partial birth abortion
23 unless such abortion is necessary to preserve the life or health of the
24 pregnant woman.

25 (c) Any person who is not a physician and performs a partial birth
26 abortion on another person shall be subject to the provisions of this
27 section.

28 (d) This section prohibits only the intentional performance of a
29 dilation and extraction procedure or any substantially similar
30 procedure whereby the attending physician deliberately partially
31 delivers an intact fetus, inserts an instrument into the base of the fetus'
32 skull and suctions the fetus' skull contents with the intent to terminate
33 the life of the fetus.

34 (e) Other than the abortion procedure set forth in subsection (d) of
35 this section, nothing in this section shall be construed to prohibit the
36 performance of any other abortion procedure, including, but not
37 limited to the following:

38 (1) The dilation and evacuation procedure or any substantially
39 similar procedure whereby suction of the contents of the fetal skull
40 occurs subsequent to either an attempted or successful
41 dismemberment of the fetus in utero;

42 (2) The suction curettage procedure or any substantially similar

43 procedure whereby the developing fetus and products of conception
44 are evacuated from the uterus with a sharp curettage or through a
45 suction cannula with an attached vacuum apparatus; or

46 (3) The induction abortion procedure or any substantially similar
47 procedure whereby osmotic dilators are placed in the cervix and
48 medications are administered to induce labor.

49 (f) Any physician or person who violates the provisions of this
50 section shall be guilty of a class D felony.

51 (g) A woman upon whom a partial birth abortion is performed may
52 not be prosecuted under this section for a conspiracy to violate the
53 provisions of this section or for any other offense arising out of a
54 partial birth abortion."