



General Assembly

Amendment

January Session, 2021

LCO No. 9375



Offered by:

SEN. KELLY, 21st Dist.
SEN. FORMICA, 20th Dist.
SEN. BERTHEL, 32nd Dist.
SEN. CHAMPAGNE, 35th Dist.
SEN. CICARELLA, 34th Dist.
SEN. HWANG, 28th Dist.

SEN. MARTIN, 31st Dist.
SEN. MINER, 30th Dist.
SEN. SAMPSON, 16th Dist.
SEN. SOMERS, 18th Dist.
SEN. WITKOS, 8th Dist.

To: Subst. Senate Bill No. 363

File No. 443

Cal. No. 266

"AN ACT CONCERNING THE DUTIES OF THE OFFICE OF THE ATTORNEY GENERAL."

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

3 "Sec. 501. Section 1 of public act 21-17 is repealed and the following
4 is substituted in lieu thereof (*Effective July 1, 2021*):

5 As used in this section and sections 2 and 3 of [this act] public act 21-
6 17:

7 (1) "Abortion" means the termination of a pregnancy for purposes
8 other than producing a live birth. "Abortion" includes, but is not limited
9 to, a termination of a pregnancy using pharmacological agents;

10 (2) "Client" means an individual who is inquiring about or seeking
11 services at a pregnancy services center;

12 (3) "Clinical laboratory services" means the microbiological,
13 serological, chemical, hematological, biophysical, cytological or
14 pathological examination of materials derived from the human body for
15 the purpose of obtaining information for the diagnosis, prevention or
16 treatment of disease or the assessment of a health condition;

17 (4) "Emergency contraception" means one or more prescription drugs
18 (A) used separately or in combination for the purpose of preventing
19 pregnancy, (B) administered to or self-administered by a patient within
20 a medically recommended amount of time after sexual intercourse, (C)
21 dispensed for such purpose in accordance with professional standards
22 of practice, and (D) determined by the United States Food and Drug
23 Administration to be safe for such purpose;

24 (5) "Deceptive" means a purposeful misrepresentation of facts related
25 to pregnancy-related services;

26 (6) "Deceptive advertising" means advertising that contains a
27 purposeful misrepresentation of facts related to pregnancy-related
28 services;

29 [(5)] (7) "Health information" means any oral or written information
30 in any form or medium that relates to health insurance or the past,
31 present or future physical or mental health or condition of a client;

32 [(6)] (8) "Licensed health care provider" means a person licensed
33 under the provisions of federal or state law to provide health care or
34 other medical services;

35 [(7)] (9) "Limited services pregnancy center" means a pregnancy
36 services center that does not directly provide, or provide referrals for,
37 abortions or emergency contraception;

38 [(8)] (10) "Pregnancy-related service" means any medical or health
39 counseling service related to pregnancy or pregnancy prevention,

40 including, but not limited to, contraception and contraceptive
 41 counseling, pregnancy testing, pregnancy diagnosis, pregnancy options
 42 counseling, obstetric ultrasound, obstetric sonogram and prenatal care;

43 [(9)] (11) "Pregnancy services center" means a facility, including a
 44 mobile facility, the primary purpose of which is to provide services to
 45 clients who are or have reason to believe they may be pregnant and that
 46 either (A) offers obstetric ultrasounds, obstetric sonograms, pregnancy
 47 testing or diagnosis or prenatal care to pregnant clients, or (B) has the
 48 appearance of a medical facility by virtue of having two or more of the
 49 following factors present: (i) Staff or volunteers who wear medical attire
 50 and uniforms; (ii) one or more examination tables; (iii) a private or
 51 semiprivate room or area containing medical supplies or medical
 52 instruments; (iv) staff or volunteers who collect health information from
 53 clients; or (v) the facility is located on the same premises as a licensed
 54 health care facility or licensed health care provider or shares facility
 55 space with a licensed health care provider;

56 [(10)] (12) "Premises" means land and improvements or
 57 appurtenances or any part thereof; and

58 [(11)] (13) "Prenatal care" means services consisting of a physical
 59 examination, pelvic examination or clinical laboratory services
 60 provided to a client during pregnancy."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	July 1, 2021	PA 21-17, Sec. 1