

SECOND REGULAR SESSION

# HOUSE BILL NO. 1828

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES EMERY (Sponsor), NIEVES, HUNTER, RECTOR,  
CUNNINGHAM (145), MUNZLINGER, FRANZ, PHILLIPS, SELF, BLACK, DEMPSEY,  
CUNNINGHAM (86), SCHAAF, FISHER, LEMBKE, SCHAD, RUCKER, MYERS, McGHEE, SANDER,  
JACKSON, JETTON AND SILVEY (Co-sponsors).

Read 1st time February 21, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5021L.02I

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### AN ACT

To amend chapter 338, RSMo, by adding thereto one new section relating to the right of pharmacies regarding abortifacients.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 338, RSMo, is amended by adding thereto one new section, to be  
2 known as section 338.575, to read as follows:

**338.575. 1. No licensed pharmacy in this state shall be required to perform, assist,  
2 recommend, refer to, or participate in any act or service in connection with any drug or  
3 device that is an abortifacient, including but not limited to the RU486 drug and emergency  
4 contraception such as the Plan B drug.**

**5 2. No civil or criminal cause of action shall accrue against a pharmacy due to a  
6 refusal to perform, assist, recommend, refer for, or participate in any act or service in  
7 accordance with subsection 1 of this section.**

**8 3. No board, commission, or other agency or instrumentality of this state shall deny,  
9 revoke, suspend, or otherwise discipline the license of a pharmacy, nor shall it impose any  
10 other condition of operation due to a refusal to perform, assist, recommend, refer for, or  
11 participate in any act or service in accordance with subsection 1 of this section.**

**12 4. No pharmacy shall be denied or discriminated against in eligibility for or the  
13 receipt of any public benefit, assistance, or privilege of any kind due to a refusal to**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 14 **perform, assist, recommend, refer for, or participate in any act or service in accordance**  
15 **with subsection 1 of this section.**

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