

HCS HB 1055 -- ABORTIONS

SPONSOR: Franz (Sander)

COMMITTEE ACTION: Voted "do pass" by the Special Committee on Family Services by a vote of 6 to 3 with 1 present.

This substitute changes the laws regarding abortion. In its main provisions, the substitute:

(1) Revises the requirements for the presentation of information in public schools relating to contraception and sexually transmitted diseases by adding the option of presenting students with information on contraceptives and pregnancy in a manner consistent with federal abstinence laws. Currently, students must be presented with the latest medically factual information regarding side effects, health benefits, and failure rates for methods of preventing pregnancy and sexually transmitted diseases;

(2) Prohibits school districts and charter schools from providing abortion services or allowing a person or entity who provides abortion services from offering, sponsoring, or furnishing course materials related to human sexuality and sexually transmitted diseases;

(3) Defines "medical emergency" as a condition which, on the basis of a physician's good-faith clinical judgment, so complicates the medical condition of a pregnant woman as to necessitate the immediate abortion of her pregnancy to avert the death of the pregnant woman or for which delay will create a serious risk of substantial and irreversible impairment of a major bodily function of the pregnant woman;

(4) Changes certain penalties relating to abortion by including penalties for those persons who knowingly induce or aid in the inducing of an abortion. Currently, there are penalties for any person who knowingly performs or aids in the performance of any abortion;

(5) Provides for an affirmative medical emergency defense for violations of any abortion provision;

(6) Establishes the Missouri Alternatives to Abortion Services Program to provide services or counseling to pregnant women and assistance to women in caring for their children or placing them up for adoption. Counseling and services are available to a woman during her pregnancy and for one year after the birth of her child. The department or departments administering the programs may contract with public or private agencies to provide

services or counseling;

(7) Establishes the Missouri Alternatives to Abortion Public Awareness Program which requires the department or departments administering the program to develop an advertising campaign publicizing alternatives to abortion and to prioritize federal, public, and private moneys so that they are used first to fund these programs. These programs and their funds will not be used to perform, induce, or assist in abortions; and

(8) Changes the definition of "ambulatory surgical center" in Section 197.200, RSMo, to include any establishment operated for the purpose of performing or inducing any second or third trimester abortions or at least five or more first trimester abortions per month.

FISCAL NOTE: Estimated Cost on General Revenue Fund of Less than \$130,306 in FY 2008, Less than \$136,797 in FY 2009, and Less than \$137,901 in FY 2010. No impact on Other State Funds in FY 2008, FY 2009, and FY 2010.

PROPONENTS: Supporters say that the bill will provide statutory authority to fund the Missouri Alternatives to Abortion Services Program which does not provide family planning services and thereby promotes the organizations affiliated with the program through increased public awareness efforts afforded by the funds. The Governor supports the bi-partisan bill. The program will focus on women who are already pregnant and on agencies that promote life and not death. The bill is important because it provides separation from family planning programs and helps a woman in a crisis during her pregnancy with the alternative to abortion services necessary to support the woman so that an abortion is not a necessary option. It is a myth that increasing funding for family planning services decreases abortions. Current alternatives to abortion programs provide valuable services for women and children and less than 3% of women who participate in the program return to the program, indicating its success.

Testifying for the bill were Representative Sander; Campaign Life Missouri; Missouri Right to Life; Missouri Catholic Conference; Missouri Family Network; Americans United for Life; and Missouri Baptist Convention, Christian Life Commission.

OPPONENTS: Those who oppose the bill say that the program's concept is good but that the legislature should be concerned with funding programs that intimidate women about abortions by using tactics that are unethical in order to discourage abortions.

Testifying against the bill were Planned Parenthood Affiliates in

Missouri.