

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 1563, Page 1, Section A, Line 3, by
2 inserting after all of said section and line the following:

3
4 "188.017. 1. This section shall be known and may be cited as the "Right to Life of the
5 Unborn Child Act".

6 2. Notwithstanding any other provision of law to the contrary, no abortion shall be
7 performed or induced upon a woman, except in cases of medical emergency, or where the
8 pregnancy was the result of the woman being a victim of rape or incest, or where the woman is
9 twelve years of age or younger. Any person who knowingly performs or induces an abortion of an
10 unborn child in violation of this subsection shall be guilty of a class B felony, as well as subject to
11 suspension or revocation of his or her professional license by his or her professional licensing board.
12 A woman upon whom an abortion is performed or induced in violation of this subsection shall not
13 be prosecuted for a conspiracy to violate the provisions of this subsection.

14 3. It shall be an affirmative defense for any person alleged to have violated the provisions of
15 subsection 2 of this section that the person performed or induced an abortion because of a medical
16 emergency. The defendant shall have the burden of persuasion that the defense is more probably
17 true than not.

18 4. The enactment of this section shall only become effective upon notification to the revisor
19 of statutes by an opinion by the attorney general of Missouri, a proclamation by the governor of
20 Missouri, or the adoption of a concurrent resolution by the Missouri general assembly that:

21 (1) The United States Supreme Court has overruled, in whole or in part, Roe v. Wade, 410
22 U.S. 113 (1973), restoring or granting to the state of Missouri the authority to regulate abortion to
23 the extent set forth in this section, and that as a result, it is reasonably probable that this section
24 would be upheld by the court as constitutional;

25 (2) An amendment to the Constitution of the United States has been adopted that has the
26 effect of restoring or granting to the state of Missouri the authority to regulate abortion to the extent
27 set forth in this section; or

28 (3) The United States Congress has enacted a law that has the effect of restoring or granting
29 to the state of Missouri the authority to regulate abortion to the extent set forth in this section."; and
30

31 Further amend said bill by amending the title, enacting clause, and intersectional references
32 accordingly.

Action Taken _____ Date _____