

FIRST REGULAR SESSION

HOUSE BILL NO. 1144

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SEITZ.

2578H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 188.015, RSMo, and to enact in lieu thereof one new section relating to reproductive health care.

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

Section A. Section 188.015, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 188.015, to read as follows:

188.015. As used in this chapter, the following terms mean:

(1) "Abortion":

(a) The act of using or prescribing any instrument, device, medicine, drug, or any other means or substance with the intent to destroy the life of an embryo or fetus in his or her mother's womb; or

(b) The intentional termination of the pregnancy of a mother by using or prescribing any instrument, device, medicine, drug, or other means or substance with an intention other than to increase the probability of a live birth or to remove a dead unborn child;

(2) "Abortion facility", a clinic, physician's office, or any other place or facility in which abortions are performed or induced other than a hospital;

(3) "Affiliate", a person who or entity that enters into, with an abortion facility, a legal relationship created or governed by at least one written instrument, including a certificate of formation, a franchise agreement, standards of affiliation, bylaws, or a license, that demonstrates:

(a) Common ownership, management, or control between the parties to the relationship;

(b) A franchise granted by the person or entity to the affiliate; or

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.

18 (c) The granting or extension of a license or other agreement authorizing the affiliate
19 to use the other person's or entity's brand name, trademark, service mark, or other registered
20 identification mark;

21 (4) "Conception", the fertilization of the ovum of a female by a sperm of a male;

22 (5) "Department", the department of health and senior services;

23 (6) "Down Syndrome", the same meaning as defined in section 191.923;

24 (7) "Gestational age", length of pregnancy as measured from the first day of the
25 woman's last menstrual period;

26 (8) "Medical emergency", a condition which, based on reasonable medical judgment,
27 so complicates the medical condition of a pregnant woman as to necessitate the immediate
28 abortion of her pregnancy to avert the death of the pregnant woman or for which a delay will
29 create a serious risk of substantial and irreversible physical impairment of a major bodily
30 function of the pregnant woman;

31 (9) "Physician", any person licensed to practice medicine in this state by the state
32 board of registration for the healing arts;

33 (10) "Reasonable medical judgment", a medical judgment that would be made by a
34 reasonably prudent physician, knowledgeable about the case and the treatment possibilities
35 with respect to the medical conditions involved;

36 (11) **"Reproductive health care", health care that is needed to support the**
37 **reproduction of human beings and care of the reproductive organs matching an**
38 **individual's biological sex at birth;**

39 (12) "Unborn child", the offspring of human beings from the moment of conception
40 until birth and at every stage of its biological development, including the human conceptus,
41 zygote, morula, blastocyst, embryo, and fetus;

42 ~~[(12)]~~ (13) "Viability" or "viable", that stage of fetal development when the life of the
43 unborn child may be continued indefinitely outside the womb by natural or artificial life-
44 supportive systems;

45 ~~[(13)]~~ (14) "Viable pregnancy" or "viable intrauterine pregnancy", in the first
46 trimester of pregnancy, an intrauterine pregnancy that can potentially result in a liveborn
47 baby.

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