

Floor Amendment to HB 1625

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT relative to the fetal life protection act.
4

5 Amend the bill by replacing all after the enacting clause with the following:

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7 1 Fetal Life Protection Act; Prohibitions; Exceptions; Ultrasound Examination Requirement.
8 Amend RSA 329:44, I and II to read as follows:

9 I. Except in the case of a ***pregnancy that results from felonious sexual assault, as***
10 ***defined in RSA 632-A:2 or RSA 632-A:3 or incest or a*** medical emergency as specifically defined
11 in paragraph III, no abortion shall be performed, induced, or attempted by any health care provider
12 unless a health care provider has first made a determination of the probable gestational age of the
13 fetus. In making such a determination, the health care provider shall make such inquiries of the
14 pregnant woman and perform or cause to be performed all such medical examinations, imaging
15 studies, and tests as a reasonably prudent health care provider in the community, knowledgeable
16 about the medical facts and conditions of both the woman and the fetus involved, would consider
17 necessary to perform and consider in making an accurate diagnosis with respect to gestational age,
18 provided, however, that the health care provider shall conduct an obstetric ultrasound examination
19 of the patient for the purpose of making the determination. ***This subdivision shall be construed***
20 ***to require the performance of an ultrasound only if the provider either knows that the fetus***
21 ***has a gestational age of at least 24 weeks or is conscious of a substantial risk that the fetus***
22 ***has a gestational age of at least 24 weeks.***

23 II. Except ***in the case of felonious sexual assault, as defined in RSA 632-A:2 or RSA***
24 ***632-A:3 or incest or*** a medical emergency as specifically defined in paragraph III, no health care
25 provider shall knowingly perform, induce, or attempt to perform an abortion upon a pregnant
26 woman when the probable gestational age of her fetus has been determined to be at least 24 weeks
27 or in the absence of a determination by a health care provider pursuant to paragraph I as to the
28 fetus' probable gestational age.

29 2 Repeal. The following are repealed:

30 I. RSA 329:46, establishing criminal penalties against health care providers for violation of
31 the fetal life protection act.

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1 II. RSA 329:47, establishing civil remedies against health care providers for violation of the
2 fetal life protection act.

3 III. RSA 329:48, relative to review by the board of medicine.

4 3 Effective Date. This act shall take effect upon its passage.

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AMENDED ANALYSIS

The bill expands the circumstances under which an abortion may be performed after 24 weeks to include rape and incest, construes the ultrasound requirement, and repeals the criminal, civil, and administrative penalties for violation of the fetal life protection act.