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**STATE OF MAINE
SENATE
132ND LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 297, L.D. 682, “An Act to Amend Certain Laws Regarding Abortions”

Amend the bill by striking out all of sections 2 and 3 and inserting the following:

Sec. 2. 22 MRSA §1598, sub-§1-B, as enacted by PL 2023, c. 416, §3 and reallocated by RR 2023, c. 1, Pt. A, §8, is amended to read:

1-B. Abortion after viability. After viability, an abortion may be performed only when the fetus is diagnosed by a physician licensed pursuant to Title 32, chapter 36 or 48 with a lethal fetal anomaly or it is medically necessary to preserve the life or health of the mother in the professional judgment of a the physician licensed pursuant to Title 32, chapter 36 or 48. The physician shall apply the applicable standard of care in making a professional judgment under this subsection.

Sec. 3. 22 MRSA §1598, sub-§2, ¶A-1 is enacted to read:

A-1. "Lethal fetal anomaly" means a fetal condition diagnosed before birth that, if the pregnancy results in a live birth, will, with reasonable certainty, result in the death of the child not more than 3 months after birth.'

Amend the bill by striking out all of sections 5 and 6 and inserting the following:

Sec. 5. 22 MRSA §1598, sub-§3, ¶C is enacted to read:

C. A person not licensed as required by paragraph A who knowingly performs an abortion on another person or a person who knowingly assists a nonlicensed person to perform an abortion on another person is guilty of a Class C crime. Nothing in this paragraph limits the applicability of Title 32, section 3270 or any other civil or criminal law that may apply.

Sec. 6. 22 MRSA §1598, sub-§5 is enacted to read:

5. Abortions after viability; criminal liability. A person who performs an abortion after viability is guilty of a Class D crime if:

A. The person knowingly disregarded the viability of the fetus; and

COMMITTEE AMENDMENT

