

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 194 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
- 3 SECTION 1. IC 16-18-2-69.2 IS ADDED TO THE INDIANA
4 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
5 **[EFFECTIVE JULY 1, 2007]: Sec. 69.2. "Contraception", for**
6 **purposes of IC 16-34, means the use of a drug or device that has**
7 **been approved to prevent pregnancy by the federal Food and Drug**
8 **Administration.**
- 9 SECTION 2. IC 16-34-1-0.5 IS ADDED TO THE INDIANA
10 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
11 **[EFFECTIVE JULY 1, 2007]: Sec. 0.5. Contraception is not subject**
12 **to or governed by this article.**
- 13 SECTION 3. IC 16-34-2-1.1, AS AMENDED BY P.L.36-2005,
14 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2007]: Sec. 1.1. (a) An abortion shall not be performed except
16 with the voluntary and informed consent of the pregnant woman upon
17 whom the abortion is to be performed. Except in the case of a medical
18 emergency, consent to an abortion is voluntary and informed only if the
19 following conditions are met:
- 20 (1) At least eighteen (18) hours before the abortion and in the
21 presence of the pregnant woman, the physician who is to perform
22 the abortion, the referring physician or a physician assistant (as
23 defined in IC 25-27.5-2-10), an advanced practice nurse (as
24 defined in IC 25-23-1-1(b)), or a midwife (as defined in
25 IC 34-18-2-19) to whom the responsibility has been delegated by
26 the physician who is to perform the abortion or the referring
27 physician has orally informed the pregnant woman of the
28 following:
- 29 (A) The name of the physician performing the abortion.
30 (B) The nature of the proposed procedure or treatment.
31 (C) The risks of and alternatives to the procedure or
32 treatment.
33 (D) The probable gestational age of the fetus, including an
34 offer to provide:
- 35 (i) a picture or drawing of a fetus;
36 (ii) the dimensions of a fetus; and
37 (iii) relevant information on the potential survival of an

1 unborn fetus;
2 at this stage of development.
3 (E) The medical risks associated with carrying the fetus to
4 term.
5 (F) The availability of fetal ultrasound imaging and
6 auscultation of fetal heart tone services to enable the
7 pregnant woman to view the image and hear the heartbeat
8 of the fetus and how to obtain access to these services.
9 **(G) That there are differing medical opinions**
10 **concerning when a fetus feels pain.**
11 (2) At least eighteen (18) hours before the abortion, the pregnant
12 woman will be orally informed of the following:
13 (A) That medical assistance benefits may be available for
14 prenatal care, childbirth, and neonatal care from the county
15 office of family and children.
16 (B) That the father of the unborn fetus is legally required to
17 assist in the support of the child. In the case of rape, the
18 information required under this clause may be omitted.
19 ~~(C) That adoption alternatives are available and that~~
20 ~~adoptive parents may legally pay the costs of prenatal care,~~
21 ~~childbirth, and neonatal care.~~
22 **(3) At least eighteen (18) hours before the abortion, the**
23 **pregnant woman will be informed in writing of the following:**
24 **(A) That adoption alternatives are available and that**
25 **there are many couples who are willing and waiting to**
26 **adopt a child.**
27 **(B) That there are physical risks to the woman in:**
28 **(i) having an abortion, both during the abortion**
29 **procedure and after; and**
30 **(ii) completing a pregnancy.**
31 **(C) That an embryo formed by the fertilization of a**
32 **human ovum by a human sperm immediately begins to**
33 **divide and grow as human physical life.**
34 ~~(3)~~ **(4)** The pregnant woman certifies in writing, before the
35 abortion is performed, that the information required by
36 subdivisions (1) ~~and (2)~~ **through (3)** has been provided.
37 (b) Before an abortion is performed, the pregnant woman may,
38 upon the pregnant woman's request, view the fetal ultrasound imaging
39 and hear the auscultation of the fetal heart tone if the fetal heart tone is
40 audible.

41 Renumber all SECTIONS consecutively.

(Reference is to SB 194 as printed February 23, 2007.)

Senator SIMPSON