

1 **SHB 2395 - H AMD 974 ADOPTED**

2 By Representative Dyer

3 Strike everything after the enacting clause and insert the
4 following:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 9.02 RCW
6 to read as follows:

7 It is a class c felony for a physician to perform a partial-birth
8 abortion on a viable fetus except to protect the life or health of the
9 woman.-

10 Correct internal references and the title.

EFFECT: Deletes: Specific fine amounts and prison terms for violations; definitions; provisions for an accused physician to seek a hearing before the state medical board (State Medical Quality Assurance Commission); provisions for civil relief; and the referendum clause. Sets forth penalty of class c felony (up to 5 years imprisonment and \$10,000 fine) for a physician who performs a partial-birth abortion on a viable fetus except when necessary to protect the life or health of the mother. ("Viability" is defined in law as the point in the pregnancy when, in the judgment of the physician on the particular facts of the case before such physician, there is a reasonable likelihood of the fetus's sustained survival outside the uterus without the application of extraordinary medical measures.- [RCW 9.02.170(1)])