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SENATE BILL 5820

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State of Washington

59th Legislature

2005 Regular Session

By Senators Swecker, Mulliken, Hargrove, Benton, Roach, Schmidt, Stevens and Benson

Read first time 02/08/2005. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to requiring notification of breast cancer risks  
2 related to abortion; adding new sections to chapter 9.02 RCW; providing  
3 expiration dates; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that there is a  
6 serious problem of increasing incidents of breast cancer in the United  
7 States; and that virtually every known risk factor for breast cancer  
8 involves elevated levels of estrogen.

9 (2) The legislature further finds that the first trimester of  
10 pregnancy is a time of very high estrogen concentrations in a woman's  
11 body, that abortion terminates pregnancy in an artificial manner, that  
12 abortion before the first live birth has been linked to an increased  
13 risk of breast cancer in over twenty published articles in reputable  
14 journals, and that no cancer expert has denied that abortion may cause  
15 breast cancer.

16 (3) This section expires January 1, 2011.

17 NEW SECTION. **Sec. 2.** (1) The secretary of health shall hold

1 hearings to compile and summarize research linking abortion to breast  
2 cancer. This research shall be updated annually until 2010.

3 (2) This section expires January 1, 2011.

4 NEW SECTION. **Sec. 3.** It is unlawful to perform an abortion on a  
5 woman without advising her of research linking abortion to breast  
6 cancer. The department of health summary of research under section 2  
7 of this act shall be presumed to be sufficient information about this  
8 research.

9 NEW SECTION. **Sec. 4.** A minor cannot give informed consent to a  
10 substantial cancer risk.

11 NEW SECTION. **Sec. 5.** It is unlawful for a person to perform an  
12 abortion unless that person has sufficient malpractice insurance to  
13 cover potential liability for reproductive cancers.

14 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act are each  
15 added to chapter 9.02 RCW.

16 NEW SECTION. **Sec. 7.** If any provision of this act or its  
17 application to any person or circumstance is held invalid, the  
18 remainder of the act or the application of the provision to other  
19 persons or circumstances is not affected.

20 NEW SECTION. **Sec. 8.** This act is necessary for the immediate  
21 preservation of the public peace, health, morals, or safety, or support  
22 of the state government and its existing public institutions, and takes  
23 effect immediately.

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