

HOUSE OF REPRESENTATIVES

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM  
2016 REGULAR SESSION  
Unofficial Document

Amend printed copy of HB 18

On page 1, between lines 1 and 2, insert:

"WHEREAS, the Declaration of Independence recognizes the fundamental truth that all people have been endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness; and

WHEREAS, the Constitution of this Commonwealth guarantees that all people have the right of seeking and pursuing their safety and happiness; and

WHEREAS, in the pursuit of life, liberty, safety, and happiness, every person has the right to be free from pain; and

WHEREAS, the Commonwealth of Kentucky statutorily recognizes an unborn child as a human being from conception onward, without regard to age, health, or condition of dependency; and

WHEREAS, this statutory acknowledgement of the unborn child's humanity compels a recognition of the imperative to treat the final disposition of an aborted child's remains in a dignified and respectful manner; and

WHEREAS, the Supreme Court of the United States of America has recognized that states have a legitimate interest in protecting the life of the unborn; and

WHEREAS, recognizing the civil rights of an unborn child does not contravene prior

Amendment No. HFA 2

Sponsor: Rep. Kim King

Committee Amendment: \_\_\_\_\_

Signed: \_\_\_\_\_

Floor Amendment: \_\_\_\_\_

LRC Drafter: Lyon, Alice

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Rejected: \_\_\_\_\_

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Supreme Court jurisprudence nor undermine a woman's right to self-determination or bodily autonomy, but instead upholds the state's compelling interest in protecting the life of the unborn and in the humane and dignified treatment of human remains; and

WHEREAS, moral and philosophical concepts of dignity hold that a human being is entitled to receive ethical and humane treatment and is to be respected and valued in all phases of life and even after death; and

WHEREAS, certain abortive medical procedures resulting in dismemberment, crushing, or human vivisection are brutal and extremely agonizing for unborn children in contravention of their unalienable rights;

NOW, THEREFORE,"; and

On Page 6 after line 20, insert:

"➔Section 3. KRS 311.770 is amended to read as follows:

(1) After the first trimester no person shall perform the form of abortion known as the saline method of abortion.

(2) **At no point in a pregnancy shall a method of abortion be performed which, if properly executed, will result in the bodily dismemberment, crushing, or human vivisection of the unborn child.**

➔Section 4. KRS 311.780 is amended to read as follows:

(1) **Except as provided in subsection (3) of this section, prior to performing or inducing an abortion, the physician shall make a determination of the probable post-fertilization age of the unborn child using the same standards, tests, and examinations as a reasonably prudent physician would consider necessary in making a determination of post-fertilization age.**

(2) No abortion shall be performed or prescribed knowingly after the unborn child **has reached the twentieth week of development following fertilization, except as provided in**

subsection (3) of this section ~~[may reasonably be expected to have reached viability, except when necessary to preserve the life or health of the woman].~~

**(3) If a medical emergency compels the performance or inducement of an abortion without the prior satisfaction of the conditions specified in subsection (1) of this section or after the unborn child has reached the twentieth week of development following fertilization, the physician who will perform or induce the abortion, prior to its performance or inducement if possible, shall inform the pregnant woman of the medical indications supporting the physician's judgment that an immediate abortion is necessary and shall enter the reasons for the conclusion that a medical emergency exists in the medical record of the pregnant woman.**

**(4)** In those instances where an abortion is performed under this section, the person performing the abortion shall take all reasonable steps in keeping with reasonable medical practices to preserve the life and health of the child, including but not limited to KRS 311.760(2)."; and  
Renumber subsequent sections accordingly.