

1 AN ACT relating to medical procedures and declaring an emergency.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 15.241 is amended to read as follows:

4 ***(1)*** The Attorney General ~~*may*~~~~*[, upon certification by the secretary of the Cabinet for*~~
5 ~~*Health and Family Services, shall]*~~ seek injunctive relief ***as well as civil and***
6 ***criminal penalties*** in ~~*courts*~~~~*[a court]*~~ of proper jurisdiction to prevent, ***penalize,***
7 ***and remedy*** violations of~~*[the provisions of]*~~;

8 ***(a)*** KRS Chapter 216B regarding abortion facilities ~~*and*~~~~*[or]*~~ the administrative
9 regulations promulgated in furtherance thereof;

10 ***(b)*** ***KRS 311.710 to 311.830 regarding abortions and the administrative***
11 ***regulations promulgated in furtherance thereof; and***

12 ***(c)*** ***KRS Chapter 39A and any orders or directives issued thereunder relating to***
13 ***elective medical procedures, including but not limited to abortions***~~*[in cases*~~
14 ~~*where other administrative penalties and legal sanctions imposed have failed*~~
15 ~~*to prevent or cause a discontinuance of the violation]*~~.

16 ***(2)*** ***Nothing in this section shall limit or preclude such authority as the secretary of***
17 ***the Cabinet for Health and Family Services has to seek the relief set forth in***
18 ***subsection (1) of this section.***

19 ➔Section 2. Notwithstanding any law to the contrary, under any state of
20 emergency declared by the Governor in response to COVID-19 or any orders or directives
21 thereunder issued in response to COVID-19:

22 (1) An abortion facility licensed under KRS Chapter 216B and administrative
23 regulations promulgated thereunder shall not deem an abortion to be an emergent or
24 urgent medical procedure; and

25 (2) A physician shall not deem an abortion to be performed in an abortion facility
26 licensed under KRS Chapter 216B to be an emergent or urgent medical procedure."

27 ➔Section 3. Whereas the Governor has declared that a state of emergency exists

1 in the Commonwealth of Kentucky as a result of COVID-19, an emergency is declared to
2 exist and this Act takes effect upon its passage and approval by the Governor or upon its
3 otherwise becoming a law.