

**Local Government Mandate Statement  
Kentucky Legislative Research Commission  
2023 Regular Session**

**Part I: Measure Information**

**Bill Request #:** 884

**Bill #:** HB 569

**Document ID #:** 4481

**Bill Subject/Title:** AN ACT relating to unborn human individuals.

**Sponsor:** Representative Jason Nemes

Unit of Government:  City  County  Urban-County  
Unified Local  
 Charter County  Consolidated Local  Government

Office(s) Impacted: local health departments, locally-owned hospitals

Requirement:  Mandatory  Optional

Effect on  
Powers & Duties:  Modifies Existing  Adds New  Eliminates Existing

**Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government**

**HB 569** would make changes to the statutory framework surrounding abortion, in order to authorize the procedure in certain situations and under specific conditions where the pregnancy is a result of rape or incest, or the fetus has an abnormality that is incompatible with life outside the womb of the mother.

**Section 1** of HB 569 would amend KRS 211.603 to authorize use of the rape crisis center trust fund established at KRS 211.603 for abortion education only for a woman reasonably believed pregnant due to rape or incest.

**Section 2** would amend KRS 216B.400 to authorize a hospital to provide abortion counseling or referral for a woman reasonably believed to be pregnant due to rape or incest.

**Section 3** would amend KRS 311.723 to authorize a physician to perform an abortion under specific circumstances.

**Section 4** would amend KRS 311.725, regarding informed consent to an abortion, to exempt the disclosure of the probable gestational age of a fetus where the abortion is performed due to abnormality incompatible with life outside the womb.

**Section 5** would amend KRS 311.727, which requires performance of an ultrasound prior to obtaining consent for an abortion, to exempt the requirement for an ultrasound where there is (a) definitive evidence of fetal abnormality incompatible with life outside the womb, or (b) if the doctor reasonably believes the pregnancy is due to rape or incest and the probable gestational age of the fetus is less than 15 weeks. For exception (b) to apply the doctor must certify in writing attached to the certificate that the abortion is performed at the woman's request because the pregnancy is due to rape or incest.

**Sections 6 through 13** would make conforming changes to relevant statutes that address abortion, for example, notifying the spouse of the pregnant woman, where a fetal heartbeat is detected, use of abortion-inducing drugs, and others.

**HB 569 would have no or minimal fiscal impact on local health departments and locally-owned hospitals.** HB 569 authorizes but does not require that locally-owned hospitals or local health departments provide abortion education or counseling. The Kentucky Hospital Association was consulted and does not believe HB 277 would have a fiscal impact on locally-owned hospitals. The Kentucky Health Department Association was also consulted; the representative from the Barren River District Health Department stated HB 569 would have no fiscal impact on local health departments.

**Part III: Differences to Local Government Mandate Statement from Prior Versions**

Part II applies to HB 277 as introduced. There is no earlier version for comparison.

**Data Source(s):** Kentucky Hospital Association; Kentucky Association of Health Departments; LRC staff

**Preparer:** Mary Stephens (RB) **Reviewer:** KHC **Date:** 3/10/23