

SENATE BILL NO. 12

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY SENATORS HALFORD, Leman, Green, Miller, Taylor

Introduced: 1/13/97

Referred: HESS, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to partial-birth abortions."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 18.16 is amended by adding a new section to read:

4 **Sec. 18.16.050. Partial-birth abortions.** (a) Notwithstanding compliance
5 with AS 18.16.010, a person may not knowingly perform a partial-birth abortion unless
6 a partial-birth abortion is necessary to save the life of a mother whose life is
7 endangered by a physical disorder, illness, or injury and no other medical procedure
8 would suffice for that purpose. Violation of this subsection is a class C felony.

9 (b) A woman upon whom a partial-birth abortion is performed may not be
10 prosecuted under this section.

11 (c) The father, if married to the mother at the time she receives a partial-birth
12 abortion procedure, and, if the mother has not attained the age of 18 years at the time
13 of the abortion, the maternal grandparents of the fetus may in a civil action obtain
14 appropriate relief from the person who performed the abortion, unless the pregnancy
15 resulted from the plaintiff's criminal conduct or the plaintiff consented to the abortion.

1 Relief may include

2 (1) money damages for all injuries, psychological and physical, arising
3 from the violation of this section; and

4 (2) liquidated damages equal to three times the cost of the partial-birth
5 abortion.

6 (d) In this section, "partial-birth abortion" means an abortion in which the
7 person performing the abortion partially vaginally delivers a living fetus before killing
8 the fetus and completing the delivery.

9 * **Sec. 2. APPLICABILITY.** This Act applies to partial-birth abortions performed on or
10 after the effective date of this Act.