

Original sponsor: Judiciary Committee

Offered: 5/13/70  
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 852

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to abortions of viable, unborn  
7 children; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 11.15 is amended by adding a new section to read:

10 Sec. 11.15.065. ABORTIONS OF VIABLE, UNBORN CHILDREN. (a) No  
11 operation or procedure to terminate otherwise than by live birth the  
12 pregnancy of a woman pregnant with a viable child may be performed  
13 in this state unless (1) it is performed by a physician or a surgeon  
14 licensed by the State Medical Board under AS 08.64.200; (2) it is  
15 performed, unless an emergency prevents, in a hospital or other  
16 facility approved for the purpose by the Department of Health and  
17 Welfare or a hospital operated by the federal government or by an  
18 agency of the federal government; (3) three physicians or surgeons,  
19 unless an emergency prevents, licensed by the State Medical Board,  
20 one of whom shall be the person performing the abortion, have examined  
21 the woman and certified in writing the circumstances which they  
22 believe justify the operation or the procedure; and (4) there is a  
23 substantial risk that the continuance of the pregnancy would gravely  
24 impair the physical health of the woman. Nothing in this section  
25 requires a hospital or a person to participate in an abortion, nor  
26 is a hospital or a person liable for refusing to participate in an  
27 abortion under this section.

28 (b) A person who terminates a pregnancy in violation of (a) of  
29 this section and a woman who voluntarily submits to such a termination

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

are each punishable by imprisonment in the penitentiary for not more than 20 years nor less than one year.

\* Sec. 2. This Act takes effect July 29, 1970.