AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 14:87 and to"

AMENDMENT NO. 2

On page 1, line 5, after "governing authorities;" insert "to provide with respect to the crime of abortion; to provide for penalties;" and after "to provide for definitions;" insert "to provide for effective dates;"

AMENDMENT NO. 3

On page 2, between lines 22 and 23, insert the following:

"Section 2. R.S. 14:87 is hereby amended and reenacted to read as follows:
§87. Abortion; late term abortion
A. Abortion.
(1) Abortion is the performance by any person of any of the following acts, with the specific intent of terminating a clinically diagnosable pregnancy of a woman, with the knowledge that terminating the pregnancy in such a manner will, with reasonable likelihood, cause the death of the unborn child:
(a) Administering or prescribing any drug, potion, medicine or any other substance to a pregnant woman female; or
(b) Using any instrument or external force whatsoever on a female woman.
(2) This Section shall not apply to the female who has an abortion woman.
B. It shall not be unlawful for a physician to perform any of the acts described in Subsection A of this Section if performed under the following circumstances:
(1) The physician terminates the pregnancy in order to preserve the life or health of the unborn child or to remove a stillborn child.
(2) The physician terminates a pregnancy for the express purpose of saving the life, preventing the permanent impairment of a life sustaining organ or organs, or to prevent a substantial risk of death of the mother.
(3) The physician terminates a pregnancy by performing a medical procedure necessary in reasonable medical judgment to prevent the death or substantial risk of death due to a physical condition, or to prevent the serious, permanent impairment of a life-sustaining organ of a pregnant woman.
C. As used in this Section, the following words and phrases are defined as follows:
(1) "Physician" means any person licensed to practice medicine in this state.
(2) "Unborn child" means the unborn offspring of human beings from the moment of fertilization until birth.
D. Late-term abortion. (1) As used in this Subsection:
(a) "Late-term abortion" means the specific intent to kill an unborn child whose gestational age is fifteen weeks or more, and such intent is consistent with the provisions and exceptions of R.S. 40:1064 Subsection A.
(b) "Gestational age" means the age of an unborn child as calculated from the first day of the last menstrual period of the pregnant woman, as determined by the use of standard medical practices and techniques.
(2) It shall be unlawful for a physician to perform any of the acts described in Subsection A of this Section after fifteen weeks gestational age a late-term abortion.
E. Exceptions to late-term abortion.

This set of amendment(s) was prepared by Lebra R. Bias.
(1) In accordance with R.S. 40:1061(E), nothing in this Section may be construed to prohibit the sale, use, prescription, or administration of a contraceptive measure, drug, or chemical, if it is administered in accordance with manufacturer instructions.

(2) Nothing in this Section may be construed to subject a licensed physician who provides treatment to a pregnant woman which results in the accidental or unintentional injury or death of the unborn child, to any criminal conviction or penalty.

(3) Nothing in this Section may be construed to subject the pregnant woman upon whom an abortion is performed or attempted, to any criminal conviction or penalty.

F. Penalties.

(1) Whoever commits the crime of abortion or late-term abortion shall be imprisoned at hard labor for not less than one nor more than ten years and shall be fined not less than ten thousand dollars nor more than one hundred thousand dollars.

(2) This penalty shall not apply to the woman who has an abortion.

G. Effective date. The provisions of Subsection D of this Section shall become effective upon final decision of the United States Court of Appeals for the Fifth Circuit upholding the Act that originated as House Bill 1510 of the 2018 Regular Session of the Mississippi Legislature, which decision would thereby provide the authority for a state within the jurisdiction of that court of appeals to restrict abortion past fifteen weeks gestational age.

AMENDMENT NO. 4

On page 2, line 23, change "Section 2." to "Section 3."