



Proposed law defines "late-term abortion", rather to mean the specific intent to kill an unborn child whose gestational age is 15 weeks or more, and such intent is consistent with the provisions and exceptions of present law.

Present law provides that it shall be unlawful for a physician to perform any of the acts described in present law after 15 weeks gestational age.

Proposed law changes present law by providing that it shall be unlawful for a physician to perform a late-term abortion.

Proposed law provides the following three exceptions to late-term abortion:

- (1) In accordance with present law, nothing in present law 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 present law 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 present law may be construed to subject the pregnant woman upon whom an abortion is performed or attempted, to any criminal conviction or penalty.

Present law provides that the provisions of present law 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.

Proposed law repeals present law.

Proposed law provides that proposed law shall become effective immediately upon and to the extent that the U.S. Supreme Court upholds the authority of the states to prohibit abortions by the adoption of an amendment to the Constitution of the U.S. that would restore to the state the authority to prohibit elective abortions.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 1:15.1; amends R.S. 14:87)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Amends and reenacts the crime of abortion.
2. Adds definition of "late-term abortion" and provides exceptions.
3. Adds 3 exceptions to late-term abortions.
4. Adds an effective date contingent upon action by the U.S. Supreme Court.
5. Makes technical changes.