

Fifty-eighth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1242

Introduced by

Representative Sandvig

Senator Thane

1 A BILL for an Act to create and enact a new section to chapter 12.1-16 and a new section to
2 Chapter 43-17 of the North Dakota Century Code, relating to the protection of a preborn child
3 and the duty of physicians; and to provide a penalty.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 12.1-16 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Terminating human life - Preborn children.** A person is guilty of a class AA felony if
8 the person intentionally destroys or terminates the life of a preborn child. For the purpose of
9 this section, "preborn child" includes a human being from the moment of fertilization until the
10 moment of birth.

11 **SECTION 2.** A new section to chapter 43-17 of the North Dakota Century Code is
12 created and enacted as follows:

13 **Duty of physicians treating pregnant women.** Any physician licensed under this
14 chapter who provides health care to pregnant women shall, in all cases, make every effort to
15 preserve both the life of the mother and the life of the preborn child. Medical treatment
16 provided to the mother by a licensed physician which may result in accidental or unintentional
17 injury or death of the preborn child is not a violation of this section. In addition to any penalty
18 imposed under section 1 of this Act, a physician who violates this section is also subject to
19 license revocation under this chapter.