Sixty-sixth Legislative Assembly of North Dakota

## HOUSE BILL NO. 1546

Introduced by

Representatives Simons, Becker, Ertelt, Magrum, Rohr, Toman Senators Kannianen, O. Larsen, Luick, Schaible, Wanzek

- 1 A BILL for an Act to create and enact a new section to chapter 14-02.1 of the North Dakota
- 2 Century Code, relating to prohibition on human dismemberment abortion; and to provide a
- 3 penalty.

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

5 SECTION 1. A new section to chapter 14-02.1 of the North Dakota Century Code is created
6 and enacted as follows:

## 7 Prohibition on human dismemberment abortion - Penalty.

- 8 <u>1.</u> For purposes of this section, "human dismemberment abortion" means intentionally
- 9 dismembering a living unborn child and extracting the unborn child one piece at a time
- 10 from a uterus, with the purpose of causing the death of an unborn child, through use of
- 11 <u>clamps, grasping forceps, tongs, scissors, or similar instruments that, through the</u>
- 12 <u>convergence of two rigid levers, slice, crush, or grasp the head, arm, leg, spinal cord,</u>
- 13 internal organ, or other portion of the unborn child's body to cut or rip it off, regardless
- 14 <u>if the fetal body parts are removed by the same instrument, suction, or other means.</u>
- 15 2. Except in the case of a medical emergency, it is a class C felony for an individual to
   intentionally perform a human dismemberment abortion.
- A woman upon whom a human dismemberment abortion is performed or attempted to
   be performed in violation of subsection 2 may not be prosecuted for a violation of
- 19 subsection 2 or for conspiracy to violate subsection 2.