

Rep. Wallner, Merr. 10
Rep. M. Smith, Straf. 6
May 3, 2022
2022-1936h
05/04

Floor Amendment to SB 399-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to certain provisions of the fetal life protection act requiring an ultrasound
4 examination and relative to access to abortion care.

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6 Amend the bill by replacing all after section 1 with the following:

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8 2 Title. Section 3 of this act shall be known and may be cited as the New Hampshire access to
9 abortion care act.

10 3 New Chapter; Abortion: Rights Established. Amend RSA by inserting after chapter 132-A the
11 following new chapter:

12

CHAPTER 132-B

13

ACCESS TO ABORTION CARE

14

132-B:1 Access to Abortion Care.

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16 I. It shall be the public policy of New Hampshire that, because it is vital to the equality and
17 liberty of all individuals, the state shall not restrict or interfere with an individual's exercise of their
18 private decision to terminate a pregnancy except as provided in RSA 329:44 and RSA 132:32 through
19 RSA 132:36.

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21 II.(a) An individual injured as a result of a violation of this chapter shall have a private
22 right of action in superior court against the state for injunctive relief arising from the violation.

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(b) In addition to any injunctive relief awarded, the court may award costs and
reasonable attorney's fees to an injured person who prevails in an action brought under this chapter.

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4 Effective Date. This act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill construes the obstetric ultrasound examination requirement to determine probable gestational age prior to an abortion. The bill also establishes the New Hampshire access to abortion care act.