

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

SENATE BILL 542

5 By: Senator Irvin  
6 By: Representative L. Johnson  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE RIGHT-TO-KNOW-AND-SEE ACT; TO  
10 REQUIRE AN ABORTION PROVIDER WHO KNOWINGLY PERFORMS  
11 OR REFERS A PATIENT FOR AN ABORTION TO COMPLY WITH  
12 THE RIGHT OF THE PATIENT TO VIEW ULTRASOUND IMAGES  
13 BEFORE AN ABORTION; AND FOR OTHER PURPOSES.  
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## Subtitle

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17 TO AMEND THE RIGHT-TO-KNOW-AND-SEE ACT;  
18 AND TO REQUIRE AN ABORTION PROVIDER WHO  
19 KNOWINGLY PERFORMS OR REFERS A PATIENT  
20 FOR AN ABORTION TO COMPLY WITH THE RIGHT  
21 OF A PATIENT TO VIEW ULTRASOUND IMAGES  
22 BEFORE AN ABORTION.  
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. Arkansas Code § 20-16-602(c), concerning the Right-to-Know-  
28 and-See Act, is amended to read as follows:

29 (c)(1) An abortion provider who knowingly performs or refers for an  
30 abortion shall comply with the requirements of this section.

31 (2) Before a pregnant woman gives informed consent to an abortion  
32 or is referred for or administered any anesthesia or medication in  
33 preparation of an abortion, the physician or qualified technician shall:

34 (A) Perform an obstetric ultrasound on the pregnant woman  
35 using a method that the physician and the pregnant woman agree is best under  
36 the circumstances;



1 (B)(i) Provide a simultaneous verbal explanation of what  
2 the ultrasound is depicting that includes the presence and location of the  
3 unborn child within the uterus and the number of unborn children depicted.

4 (ii) If the ultrasound image indicates that the  
5 unborn child has died, the physician or qualified technician shall inform the  
6 pregnant woman of that fact;

7 (C) Display the ultrasound images so that the pregnant  
8 woman may view them and document in the pregnant woman’s medical record that  
9 the ultrasound images were displayed to the pregnant woman;

10 (D) Provide a medical description of the ultrasound  
11 images, including the dimensions of the unborn child and the presence of  
12 external members and internal organs if present and viewable; and

13 (E) Retain the ultrasound image with the date that the  
14 ultrasound occurred in the pregnant woman’s medical record.

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16 SECTION 2. DO NOT CODIFY. SEVERABILITY CLAUSE. If any provision of  
17 this act or the application of this act to any person or circumstance is held  
18 invalid, the invalidity shall not affect other provisions or applications of  
19 this act which can be given effect without the invalid provision or  
20 application, and to this end, the provisions of this act are declared  
21 severable.

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24 **APPROVED: 4/11/23**