

HOUSE BILL No. 1069

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-35; IC 16-34-1-2.

Synopsis: Prohibition of certain abortion funding. Provides that neither the state nor any political subdivision may: (1) make a payment from any fund for the performance of or costs associated with procuring an abortion; (2) allow the use of facilities or funds controlled by a hospital or ambulatory outpatient surgical center for the performance of or costs associated with procuring an abortion; or (3) make a payment or grant from any fund under its control to an organization that performs abortions, makes referrals for individuals to obtain abortions, or uses state or political subdivision funds for the performance of or costs associated with procuring an abortion. Provides an exception. Defines "private entity" and "political subdivision".

Effective: Upon passage.

Mayfield

January 8, 2024, read first time and referred to Committee on Public Health.



Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1069

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-35 IS ADDED TO THE INDIANA CODE AS A
2 **NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE UPON**
3 **PASSAGE]:**
4 **ARTICLE 35. ABORTION FUNDING**
5 **Chapter 1. Definitions**
6 **Sec. 1. The definitions in this chapter apply throughout this**
7 **article.**
8 **Sec. 2. "Political subdivision" means a:**
9 (1) **county that receives;**
10 (2) **city that receives;**
11 (3) **town that receives;**
12 (4) **township that receives;**
13 (5) **political body corporate that receives;**
14 (6) **political entity that receives;**
15 (7) **local housing authority that receives;**
16 (8) **public school corporation that receives;**
17 (9) **public university that receives;**



- 1 (10) body politic that receives;
 2 (11) public library that receives;
 3 (12) public utility of a county, city, town, or township
 4 (whether the public utility is operated by the city or town
 5 under the terms of a trusteeship for the benefit of the city or
 6 town) that receives; or
 7 (13) department of, or department that is associated with, a
 8 county, city, town, or township that receives revenue
 9 independently of, or in addition to;

10 funds obtained through taxation.

11 Sec. 3. "Private entity" means a:

- 12 (1) business corporation;
 13 (2) nonprofit corporation;
 14 (3) general partnership including a limited liability
 15 partnership;
 16 (4) limited partnership; or
 17 (5) limited liability company.

18 Chapter 2. Public Funding of Abortion

19 Sec. 1. (a) This section does not apply to any private entity's
 20 funds controlled by the private entity.

21 (b) Neither the state nor any political subdivision of the state
 22 may:

- 23 (1) make a payment from any fund under its control for:
 24 (A) the performance of; or
 25 (B) costs associated with procuring;
 26 an abortion;
 27 (2) allow the use of the facilities of, or any funds controlled by,
 28 any hospital licensed under IC 16-21-2 or ambulatory
 29 outpatient surgical center licensed under IC 16-21-2
 30 associated or affiliated with the state or the political
 31 subdivision for:
 32 (A) the performance of; or
 33 (B) costs associated with procuring;
 34 an abortion; or
 35 (3) make a payment or grant from any fund under the state's
 36 or political subdivision's control to an organization that:
 37 (A) performs abortions;
 38 (B) makes referrals for individuals to obtain an abortion;
 39 or
 40 (C) uses state or political subdivision funds for:
 41 (i) the performance of; or
 42 (ii) costs associated with procuring;



1 **an abortion.**
2 SECTION 2. IC 16-34-1-2 IS REPEALED [EFFECTIVE UPON
3 PASSAGE]. Sec. 2: Neither the state nor any political subdivision of
4 the state may make a payment from any fund under its control for the
5 performance of an abortion unless the abortion is necessary to preserve
6 the life of the pregnant woman.
7 SECTION 3. **An emergency is declared for this act.**

