

SENATE No. 2260

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

SENATE, Thursday, January 18, 2018

The committee on Ways and Means, to whom was referred the Senate Bill negating archaic statutes targeting young women (Senate, No. 784),-- reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2260).

For the committee,
Karen E. Spilka

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An Act negating archaic statutes targeting young women.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to negate archaic statutes targeting young women, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 12Q of chapter 112 of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by striking out the first paragraph and inserting in place
3 thereof the following paragraph:-

4 Except in an emergency requiring immediate action, an abortion shall not be performed
5 under section 12L or 12M unless the written consent of the proper person has been delivered to
6 the physician performing the abortion as set forth in section 12S.

7 SECTION 2. Sections 19 to 21, inclusive, of chapter 272 of the General Laws are hereby
8 repealed.

9 SECTION 3. Said chapter 272 is hereby amended by striking out section 21A, as
10 appearing in the 2016 Official Edition, and inserting in place thereof the following section:-

11 Section 21A. An authorized health care provider may administer or prescribe to any
12 person drugs or articles for the prevention of pregnancy or conception. A registered pharmacist
13 may provide such drugs or articles to any person presenting a prescription from a registered
14 physician; provided, however, that nothing in this sentence shall prevent a registered pharmacist
15 from providing such drugs and articles that do not require a prescription; and provided further,
16 that emergency contraception, as defined in section 19A of chapter 94C, shall be dispensed as
17 provided in said section 19A of said chapter 94C.

18 A public health agency, a registered nurse or other health care provider or a maternity
19 health clinic operated by or in an accredited hospital may provide information on the
20 procurement of professional advice on the lawful obtainment of drugs or articles for the
21 prevention of pregnancy or conception to any person.

22 This section shall not be construed to permit the sale or dispensing of drugs or articles for
23 the prevention of pregnancy or conception by a vending machine or similar device.