

FIRST REGULAR SESSION

# HOUSE BILL NO. 369

## 99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE NEWMAN.

0852H.011

D. ADAM CRUMBLISS, Chief Clerk

### AN ACT

To repeal sections 188.080 and 197.200, RSMo, and to enact in lieu thereof two new sections relating to abortion.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 188.080 and 197.200, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 188.080 and 197.200, to read as follows:

188.080. Any person who is not a physician who performs or induces or attempts to perform or induce an abortion on another is guilty of a class B felony, and, upon conviction, shall be punished as provided by law. ~~[Any physician performing or inducing an abortion who does not have clinical privileges at a hospital which offers obstetrical or gynecological care located within thirty miles of the location at which the abortion is performed or induced shall be guilty of a class A misdemeanor, and, upon conviction shall be punished as provided by law.]~~

197.200. As used in sections 197.200 to 197.240, unless the context clearly indicates otherwise, the following terms mean:

(1) "Ambulatory surgical center", any public or private establishment operated primarily for the purpose of performing surgical procedures or primarily for the purpose of performing childbirths, ~~[or any establishment operated for the purpose of performing or inducing any second or third trimester abortions or five or more first trimester abortions per month,]~~ and which does not provide services or other accommodations for patients to stay more than twenty-three hours within the establishment, provided, however, that nothing in this definition shall be construed to include the offices of dentists currently licensed pursuant to chapter 332 **or facilities that are operated primarily for the purpose of providing abortions;**

(2) "Dentist", any person currently licensed to practice dentistry pursuant to chapter 332;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 12 (3) "Department", the department of health and senior services;
- 13 (4) "Governmental unit", any city, county or other political subdivision of this state, or
- 14 any department, division, board or other agency of any political subdivision of this state;
- 15 (5) "Person", any individual, firm, partnership, corporation, company, or association and
- 16 the legal successors thereof;
- 17 (6) "Physician", any person currently licensed to practice medicine pursuant to chapter
- 18 334;
- 19 (7) "Podiatrist", any person currently licensed to practice podiatry pursuant to chapter
- 20 330.

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