

2011 -- H 5027

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO HEALTH AND SAFETY -- ABORTION

Introduced By: Representatives Brien, Corvese, Savage, Phillips, and Azzinaro

Date Introduced: January 18, 2011

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 23-4.7 of the General Laws entitled "Informed Consent for
2 Abortion" is hereby amended by adding thereto the following sections:

3 **23-4.7-1.1. "Forced and required" defined.** -- "Forced and required" for the purposes
4 of this chapter means being coerced, pressured, threatened, physically, emotionally,
5 psychologically or otherwise, including the loss of employment or any social assistance of any
6 type in which such pregnant woman is already participating, harassed or ordered by any agency
7 or department of the State of Rhode Island or any employee thereof.

8 **23-4.7-9. Civil action for abortion against woman's will.** -- Any woman who is forced
9 or required to have an abortion against her will and without her free consent, shall be entitled to
10 bring a civil action for tortious misconduct against the person, agency or department, whether
11 private or public, who forced or required her to have an abortion in contravention of this chapter
12 within three (3) years of her eighteenth (18th) birthday or within three (3) years of the date of the
13 abortion if the woman is more than eighteen (18) years of age at the time of the abortion. In
14 addition to said action, the woman shall have a right of action for wrongful death of the unborn
15 child against the person, agency or department, whether private or public, who forced or required
16 her to have an abortion.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO HEALTH AND SAFETY -- ABORTION

- 1 This act would prohibit any woman from being forced to have an abortion against her
- 2 will, and would provide a cause of action in tort for the wrongful death of said unborn child.
- 3 This act would take effect upon passage.

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