

MAINE STATE LEGISLATURE

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Date 6/12/23 Report 'C'

LD 1197
(Filing No H-466)

JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "B" to HP 757, LD 1197, "An Act to Prevent Coerced Abortion"

Amend the bill by striking out the title and substituting the following
'An Act to Fully Inform Pregnant Persons of Their Rights'

Amend the bill by striking out everything after the enacting clause and inserting the following

'Sec. 1. 5 MRSA §4567 is enacted to read

§4567. Rights of pregnant persons

1. Commission to produce poster or notice. The commission shall produce posters or notices in electronic or printed form:

A. Outlining this Act's protections against discrimination on the basis of pregnancy and familial status in employment, housing, access to public accommodations, fair credit extension and educational opportunity.

B. Explaining that Title 17-A, section 209 prohibits criminal threatening of any person, including a person who refuses to or chooses not to have an abortion;

C. Providing contact information for providers of resources to survivors of domestic violence, including the telephone number of at least one domestic violence hotline and at least one sexual assault hotline.

D. Informing a health care professional's patient that the patient may request that the health care professional refer the patient to law enforcement agencies and domestic violence and sexual assault survivor support organizations, including by calling law enforcement if the patient believes that the patient's safety will be at risk if the patient refuses to or chooses not to have an abortion, and

E. Informing a patient seeking an abortion that the patient has a right to withhold or withdraw the patient's consent for the abortion and receive a refund of any payments made for the abortion at any time before the abortion is performed and that, pursuant

COMMITTEE AMENDMENT

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1 to Title 22, section 1907, the patient's decision not to have an abortion does not affect
2 the patient's right to receive public assistance or public health services or to access any
3 other public benefit

4 **2. Commission to furnish poster or notice.** The commission shall make the posters
5 or notices prepared under subsection 1 available, upon request, to health care professionals
6 that provide abortions and to health care facilities where abortions are performed

7 **Sec. 2. 22 MRSA §1597-A, sub-§3, ¶C** is enacted to read

8 C A health care professional shall refund any payments received for the performance
9 of the abortion if the minor withdraws consent to the abortion at any time prior to the
10 abortion being performed

11 **Sec. 3. 22 MRSA §1599-A, sub-§2, ¶C,** as enacted by PL 1993, c 61, §4, is
12 amended to read

13 C The particular risks associated with her own pregnancy and the abortion technique
14 to be performed, and

15 **Sec. 4. 22 MRSA §1599-A, sub-§2, ¶C-1** is enacted to read

16 C-1 The number of deaths or serious injuries incurred by patients who received an
17 abortion from the health care professional for which the health care professional
18 received professional discipline or was found liable in a civil or criminal court action
19 or for which the health care professional settled a civil action brought by or on behalf
20 of the patient or the patient's estate, and

21 **Sec. 5. 22 MRSA §1599-A, sub-§3** is enacted to read

22 **3. Refund if consent withdrawn.** A health care professional, as defined in section
23 1596, subsection 1, paragraph C, shall refund any payments received for the performance
24 of an abortion if the pregnant patient withdraws consent to the abortion at any time prior to
25 the performance of the abortion

26 **Sec. 6. 22 MRSA §1599-A, sub-§4** is enacted to read

27 **4. Health care professional to post notice of pregnant person's rights.** A health
28 care professional, as defined in section 1596, subsection 1, paragraph C, who performs
29 abortions shall post and keep posted, in a place where it may be viewed by all patients of
30 the health care professional who may seek an abortion, a copy of the poster or notice
31 prepared by the Maine Human Rights Commission under Title 5, section 4567

32 **Sec. 7. Appropriations and allocations.** The following appropriations and
33 allocations are made

34 **HUMAN RIGHTS COMMISSION, MAINE**

35 **Human Rights Commission - Regulation 0150**

36 Initiative Provides one-time funding to produce and make available notices regarding
37 certain legal protections and rights of pregnant persons

38 GENERAL FUND	2023-24	2024-25
39 All Other	\$10,000	\$0
40		
41 GENERAL FUND TOTAL	<u>\$10,000</u>	<u>\$0</u>

COMMITTEE AMENDMENT

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Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively

SUMMARY

This amendment, which is a minority report of the committee, replaces the bill and changes the title. The amendment requires the Maine Human Rights Commission to produce posters or notices providing information to and outlining certain rights of a pregnant person. The amendment requires a health care professional to post the copy of a poster or notice prepared by the Maine Human Rights Commission in a place where it may be viewed by all of the health care professional's patients who may seek an abortion. It also requires a health care professional to inform the pregnant person of the number of deaths or serious injuries incurred by patients who received an abortion from the health care professional for which the health care professional was subject to professional discipline or for which the health care professional incurred civil liability through a court judgment or settlement of a court action. It also requires a health care professional to refund any payments received for the performance of an abortion if a pregnant patient withdraws consent to the abortion at any time prior to the performance of the abortion.

FISCAL NOTE REQUIRED

(See attached)



131st MAINE LEGISLATURE

LD 1197

LR 2111(03)

An Act to Prevent Coerced Abortion

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Judiciary

Fiscal Note Required: Yes

B (H-466)

Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
Net Cost (Savings)				
General Fund	\$10,000	\$0	\$0	
Appropriations/Allocations				
General Fund	\$10,000	\$0	\$0	\$0

Fiscal Detail and Notes

This bill provides a one-time appropriation to the Maine Human Rights Commission of \$10,000 in fiscal year 2023-24 to produce and make available to health care providers and facilities posters or notices regarding certain legal protections for pregnant persons, the rights of pregnant patients and resources for survivors of domestic violence