

ASSEMBLY, No. 2409

STATE OF NEW JERSEY

INTRODUCED OCTOBER 7, 1996

By Assemblywoman FARRAGHER, Assemblyman KELLY,
Assemblywoman J.Smith, Assemblymen Rooney, Kavanaugh,
Felice, Bucco, Garrett, Gregg, Assemblywoman Wright,
Assemblymen Barnes, Arnone, Cottrell, Asselta, Carroll,
Assemblywoman Crecco, Assemblymen Rocco, Doria, Steele,
Corodemus, Malone, Gibson and Bodine

1 AN ACT prohibiting the performance of partial-birth abortions and
2 supplementing Title 2A of the New Jersey Statutes.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. This act shall be known and may be cited as the "Partial-Birth
8 Abortion Ban Act of 1996."

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10 2. a. No physician licensed in this State, other licensed health care
11 professional authorized to perform abortions in this State, or
12 ambulatory care facility licensed in this State shall perform a partial-
13 birth abortion and thereby kill a human fetus.

14 b. The provisions of subsection a. of this section shall not apply to
15 a partial-birth abortion that is necessary to save the life of the mother
16 whose life is endangered by a physical disorder, illness or injury when
17 no other medical procedure would suffice for that purpose.

18 c. A physician or other health care professional licensed pursuant
19 to Title 45 of the Revised Statutes who knowingly performs a partial-
20 birth abortion in violation of this act shall be subject to immediate
21 revocation of his professional license by the appropriate licensing
22 board and subject to a penalty of \$25,000 for each incident.

23 d. An ambulatory health care facility licensed pursuant to
24 P.L.1971, c.136 (C.26:2H-1 et seq.) in which a partial-birth abortion
25 is performed in violation of this act shall be subject to immediate
26 revocation of its license by the Department of Health and Senior
27 Services.

28 e. As used in this act, "partial-birth abortion" means an abortion in
29 which the person performing the abortion partially vaginally delivers
30 a living human fetus before killing the fetus and completing the
31 delivery.

