ASSEMBLY HEALTH COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2409

STATE OF NEW JERSEY

DATED: JANUARY 23, 1997

The Assembly Health Committee reports favorably Assembly Bill No. 2409.

This bill, which is designated the "Partial-Birth Abortion Ban Act of 1996," prohibits a physician licensed in this State, other licensed health care professional authorized to perform abortions in this State, or an ambulatory care facility licensed in this State, from performing a partial-birth abortion and thereby killing a human fetus, except when such a procedure is necessary to save the life of the mother whose life is endangered by a physical disorder, illness or injury when no other medical procedure would suffice for that purpose.

A physician or other licensed health care professional who knowingly performs a partial-birth abortion in violation of this bill would be subject to immediate revocation of his professional license by the appropriate licensing board and subject to a penalty of $25,000 for each incident. A licensed ambulatory health care facility in which a partial-birth abortion is performed in violation of this bill would be subject to immediate revocation of its license by the Department of Health and Senior Services.

The bill defines "partial-birth abortion" as an abortion in which the person performing the abortion partially vaginally delivers a living human fetus before killing the fetus and completing the delivery.

Finally, the bill provides that a woman upon whom a partial-birth abortion is performed would be immune from civil or criminal liability for a violation of the provisions of the bill.

This bill is identical to Senate Bill No. 1668 (Scott/Cardinale), which is currently pending in the Senate Women's Issues, Children and Family Services Committee.