

SENATE WOMEN'S ISSUES, CHILDREN AND FAMILY
SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2409

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 5, 1997

The Senate Women's Issues, Children and Family Services Committee favorably reports Assembly Bill No. 2409 with committee amendments.

As amended by committee, this bill, the "Partial-Birth Abortion Ban Act of 1997," 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.

A physician or other licensed health care professional who knowingly performs a partial-birth abortion in violation of this bill shall 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 shall 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 shall be immune from civil or criminal liability for a violation of the provisions of the bill.

The committee amended the bill to change the title of the bill to the "Partial-Birth Abortion Ban Act of 1997."

The committee also amended the bill to define the term "vaginally delivers a human fetus before killing the fetus" to mean the deliberate and intentional delivering into the vagina of a living fetus, or a substantial portion thereof, for the purpose of performing a procedure the physician or other health care professional knows will kill the fetus and the subsequent killing of the fetus.

This bill is identical to Senate Bill No.1668 Sca (Scott/Cardinale), which was also released by this committee on June 5, 1997.