

SENATE WOMEN'S ISSUES, CHILDREN AND FAMILY
SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 1668

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 5, 1997

The Senate Women's Issues, Children and Family Services Committee favorably reports Senate Bill No. 1668 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 Assembly Bill No. 2409 Sca (Farragher, Kelly), which was also released by this committee on June 5, 1997.