

**HOUSE BILL No. 2253**

By Committee on Federal and State Affairs

2-6

1 AN ACT concerning abortion; relating to the funding of abortion services;  
2 relating to restrictions on late-term abortions; relating to the woman's-  
3 right-to-know act; amending K.S.A. 2012 Supp. 40-2246, 65-6701, 65-  
4 6703, 65-6709, 65-6710, 76-3308, 79-32,117, 79-32,138, 79-32,182b,  
5 79-32,195, 79-32,261 and 79-3606 and repealing the existing sections.  
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 New Section 1. As used in sections 1 through 8, and amendments  
9 thereto:

10 (a) "Abortion" has the same meaning as such term is defined in  
11 K.S.A. 65-6701, and amendments thereto.

12 (b) "Health benefit plan" means any hospital or medical expense  
13 policy, health, hospital or medical services corporation contract, and a plan  
14 provided by a municipal group-funded pool, or a health maintenance  
15 organization contract offered by any employer or any certificate issued  
16 under any such policy, contract or plan.

17 (c) "Health care entity" means an individual physician or other health  
18 care professional, a hospital, a provider-sponsored organization, a health  
19 maintenance organization or any other health care facility or organization.

20 (d) "School district" means any public school district organized under  
21 the laws of this state.

22 (e) "State agency" has the same meaning as such term is defined in  
23 K.S.A. 75-3701, and amendments thereto.

24 New Sec. 2. (a) The legislature hereby finds and declares the  
25 following:

26 (1) The life of each human being begins at fertilization;

27 (2) unborn children have interests in life, health and well-being that  
28 should be protected; and

29 (3) the parents of unborn children have protectable interests in the  
30 life, health and well-being of the unborn children of such parents.

31 (b) On and after July 1, 2013, the laws of this state shall be  
32 interpreted and construed to acknowledge on behalf of the unborn child at  
33 every stage of development, all the rights, privileges and immunities  
34 available to other persons, citizens and residents of this state, subject only  
35 to the constitution of the United States, and decisional interpretations  
36 thereof by the United States supreme court and specific provisions to the

Ballroom Amendments #4 for HB 2253  
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March 7, 2013



1 published and maintained by the department of health and environment,  
2 and the following text:

3 Notice: It is against the law for anyone, regardless of their relationship  
4 to you, to force you to have an abortion. By law, we cannot perform an  
5 abortion on you unless we have your freely given and voluntary consent. It  
6 is against the law to perform an abortion on you against your will. You  
7 have the right to contact any local or state law enforcement agency to  
8 receive protection from any actual or threatened physical abuse or  
9 violence. You have the right to change your mind at any time prior to the  
10 actual abortion and request that the abortion procedure cease. It is  
11 unlawful for anyone to make you have an abortion against your will, even  
12 if you are a minor. The father of your child must provide support for the  
13 child, even if he has offered to pay for an abortion. If you decide not to  
14 have an abortion, you may qualify for financial help for pregnancy,  
15 childbirth and newborn care. If you qualify, medicalaid will pay or help pay  
16 the cost of doctor, clinic, hospital and other related medical expenses,  
17 including childbirth delivery services and care for your newborn baby.  
18 Many agencies are willing to provide assistance so that you may carry  
19 your child to term, and to assist you after your child's birth.

20 The provisions of this subsection shall not apply to any private office,  
21 freestanding surgical outpatient clinic or other facility or clinic which  
22 performs abortions only when necessary to prevent the death of the  
23 pregnant woman.

24 (1) For purposes of this section:

25 (1) The term "human being" means an individual living member of  
26 the species of homo sapiens, including the unborn human being during the  
27 entire embryonic and fetal ages from fertilization to full gestation.

28 (2) The term "medically challenging pregnancy" means a pregnancy  
29 where the unborn child is diagnosed as having: (A) A severe anomaly; or  
30 (B) an illness, disease or defect which is invariably fatal.

31 Sec. 13. K.S.A. 2012 Supp. 65-6710 is hereby amended to read as  
32 follows: 65-6710. (a) The department shall cause to be published and  
33 distributed widely, within 30 days after the effective date of this act, and  
34 shall update on an annual basis, the following easily comprehensible  
35 informational materials:

36 (1) Geographically indexed printed materials designed to inform the  
37 woman of public and private agencies and services available to assist a  
38 woman through pregnancy, upon childbirth and while her child is  
39 dependent, including but not limited to, a list of providers of free  
40 ultrasound services and adoption agencies. The materials shall include a  
41 comprehensive list of the agencies, a description of the services they offer  
42 and the telephone numbers and addresses of the agencies; and inform the  
43 woman about available medical assistance benefits for prenatal care,

(1) Any private office, freestanding surgical outpatient clinic or other facility or clinic in which abortions are performed that has a website shall publish an easily identifiable link on the homepage of such website that directly links to the department of health and environment's homepage which provides informed consent materials under the woman's-right-to-know act. Such link shall read: "The Kansas Department of Health and Environment maintains a website containing objective, nonjudgmental, scientifically accurate information about the development of the unborn child, as well as video of sonogram images of the unborn child at various stages of development. The Kansas Department of Health and Environment's website can be reached by clicking here."

