

## ABORTION RESTRICTION BILL OF 2009 HCS HB 46 & 434 (Davis/Pratt)

### FACT SHEET

**HCS HB 46 & 434** (Davis/Pratt) contains many new, burdensome, and unnecessary requirements to the informed consent procedure for abortion and creates the new crime of “coercing an abortion.” This bill intrudes on the doctor/patient relationship and ignores the standard practice of medical care already in place for abortion providers. Under the superficial guise of ‘protecting women,’ the sponsors and supporters of the bill are clear in their intent; they want to make it as difficult as they can for women seeking abortion and they want to scare physicians away from providing the procedure. *This bill is too extreme for Missouri and does nothing to reduce unintended pregnancy.*

#### This bill would:

- Create the crime of “coercing an abortion” if a woman has experienced:
  - Threats of removal of a scholarship for higher education at a public or private institution
  - Threats of employment discrimination or termination
  - Stalking, assault or domestic assault
- Make physicians—or anyone assisting them—criminals for helping women obtain an abortion “with knowledge” that the woman has been “coerced” under this new, overly broad definition of ‘coercion’
- Prohibit the woman from consenting to an abortion as the “victim of a coerced abortion” **even if the woman has freely consented and believes this is the best decision for herself based upon her circumstances.**
- Prevent a woman from getting the required counseling from her own private or preferred physician by mandating she meet with “the physician who is to perform or induce the abortion” at least 24 hours before the procedure to conduct the informed consent process. This is a change from the current law in which “a treating physician” can conduct the informed consent process. It could also add days or weeks to the wait for the procedure if the physician is only scheduled one day per week. **This is not about safety, this is about politics;**
- Require posting of signs in abortion clinics that carry false promises of state-backed assistance in carrying a child to term and caring for that child once born, including health care, housing, transportation, food, clothing, education, and job training;
- Require providers to offer and provide a risky experimental anesthesia to certain women.

#### Impact

This bill violates a woman's constitutional right to make an informed decision about abortion, when facing an unintended pregnancy. It ignores a woman's ability to weigh her life circumstances and make a decision that is best for her and her family.

This bill will make physicians criminals for providing medical care to women who have given their full, informed consent for abortion. This bill will discourage physicians from providing safe and legal abortion care for fear of severe criminal penalties. **As a result of this government intrusion, women will lose access to safe and legal abortion care in Missouri.**

## HB 46 (Davis)

The provisions from HB 46 that were removed when the committee combined it with HB 434 (and could be amended back in on the House floor) would:

- Violate the first amendment right of free speech by reinstating the following acts to the list of what constitutes “coercing an abortion”:
  - The husband files, attempts to file, or threatens to file for divorce
  - A husband, partner or family member withdraws, attempts to withdraw or threatens to withdraw financial support from or on behalf of the woman
  - A husband, partner or family member changes, attempts to change, or threatens to change the woman’s existing housing or residence