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Representatives Patmon, Conditt

Cosponsors: Representatives Brenner, Hood, Terhar, Roegner, Butler, Perales, Sprague, Blessing, Becker, Antani, Retherford, Brinkman, Hagan, Koehler, Hayes, Schaffer, Maag, Hambley, Thompson, McClain, Hall, Hill, Amstutz, Boose, Buchy, Burkley, Derickson, Dovilla, Ginter, Green, Grossman, Hackett, Huffman, Johnson, T., LaTourette, McColley, Pelanda, Romanchuk, Smith, R., Young, Zeltwanger, Speaker Rosenberger

A BILL

To enact section 3701.034 of the Revised Code to
require the Department of Health to ensure that
state funds and certain federal funds are not
used either to perform or promote nontherapeutic
abortions, or to contract or affiliate with any
entity that performs or promotes nontherapeutic
abortions. 1 2 3 4 5 6 7

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3701.034 of the Revised Code be
enacted to read as follows: 8 9

Sec. 3701.034. (A) As used in this section: 10

(1) "Affiliate" means an entity that has with another
entity a legal relationship created or governed by at least one
written instrument that demonstrates any of the following: 11 12 13

(a) Common ownership, management, or control; 14

- (b) A franchise agreement; 15
- (c) The granting or extension of a license or other 16
agreement that authorizes an entity to use the other entity's 17
brand name, trademark, service mark, or other registered 18
identification mark. 19
- (2) "Violence Against Women Act" means section 1910A of 20
section 40151 of the "Violent Crime Control and Law Enforcement 21
Act of 1994," part A of Title XIX of the "Public Health and 22
Human Services Act," 108 Stat. 1920 (1994), former 42 U.S.C. 23
300w, 42 U.S.C. 280b-1b, as amended. 24
- (3) "Breast and Cervical Cancer Mortality Prevention Act" 25
means the "Breast and Cervical Cancer Mortality Prevention Act 26
of 1990," 104 Stat. 409 (1990), 42 U.S.C. 300k, as amended. 27
- (4) "Infertility prevention project" means the infertility 28
prevention project operated by the United States centers for 29
disease control and prevention. 30
- (5) "Minority HIV/AIDS initiative" means the minority 31
HIV/AIDS initiative operated by the office of minority health in 32
the United States department of health and human services. 33
- (6) "Personal responsibility education program" means the 34
program administered by the administration for children and 35
families in the United States department of health and human 36
services to educate adolescents on abstinence and contraception 37
for the prevention of pregnancy and sexually transmitted 38
infections. 39
- (7) "Nontherapeutic abortion" has the same meaning as in 40
section 9.04 of the Revised Code. 41
- (8) "Promote" means to advocate for, assist with, 42

encourage, or popularize through advertising or publicity. 43

(B) The department of health shall ensure that all funds 44
it receives through the Violence Against Women Act to distribute 45
as grants for the purpose of education and prevention of 46
violence against women are not used to do any of the following: 47

(1) Perform nontherapeutic abortions; 48

(2) Promote nontherapeutic abortions; 49

(3) Contract with any entity that performs or promotes 50
nontherapeutic abortions; 51

(4) Become or continue to be an affiliate of any entity 52
that performs or promotes nontherapeutic abortions. 53

(C) The department shall ensure that all funds it receives 54
through the Breast and Cervical Cancer Mortality Prevention Act 55
for a program to provide breast and cervical cancer screening 56
and diagnostic testing and all federal and state funds that it 57
uses to operate such a program are not used to do any of the 58
following: 59

(1) Perform nontherapeutic abortions; 60

(2) Promote nontherapeutic abortions; 61

(3) Contract with any entity that performs or promotes 62
nontherapeutic abortions; 63

(4) Become or continue to be an affiliate of any entity 64
that performs or promotes nontherapeutic abortions. 65

(D) The department shall ensure that all materials it 66
receives through the infertility prevention project are not 67
distributed to entities that do any of the following and shall 68
ensure that all funds it uses for treatment associated with the 69

<u>infertility prevention project are not used to do any of the</u>	70
<u>following:</u>	71
<u>(1) Perform nontherapeutic abortions;</u>	72
<u>(2) Promote nontherapeutic abortions;</u>	73
<u>(3) Contract with any entity that performs or promotes</u> <u>nontherapeutic abortions;</u>	74 75
<u>(4) Become or continue to be an affiliate of any entity</u> <u>that performs or promotes nontherapeutic abortions.</u>	76 77
<u>(E) The department shall ensure that all funds it receives</u> <u>through the minority HIV/AIDS initiative to distribute as grants</u> <u>and all other federal and state funds that are part of the</u> <u>grants distributed under this initiative are not used to do any</u> <u>of the following:</u>	78 79 80 81 82
<u>(1) Perform nontherapeutic abortions;</u>	83
<u>(2) Promote nontherapeutic abortions;</u>	84
<u>(3) Contract with any entity that performs or promotes</u> <u>nontherapeutic abortions;</u>	85 86
<u>(4) Become or continue to be an affiliate of any entity</u> <u>that performs or promotes nontherapeutic abortions.</u>	87 88
<u>(F) The department shall ensure that all state funds it</u> <u>receives, including funding for infant mortality reduction or</u> <u>infant vitality initiatives, are not used to do any of the</u> <u>following:</u>	89 90 91 92
<u>(1) Perform nontherapeutic abortions;</u>	93
<u>(2) Promote nontherapeutic abortions;</u>	94
<u>(3) Contract with any entity that performs or promotes</u>	95

<u>nontherapeutic abortions;</u>	96
<u>(4) Become or continue to be an affiliate of any entity</u>	97
<u>that performs or promotes nontherapeutic abortions.</u>	98
<u>(G) The department shall ensure that all funds it receives</u>	99
<u>through an allotment to the state under the personal</u>	100
<u>responsibility education program and all other funds that are</u>	101
<u>part of the grants distributed under this program are not used</u>	102
<u>to do any of the following:</u>	103
<u>(1) Perform nontherapeutic abortions;</u>	104
<u>(2) Promote nontherapeutic abortions;</u>	105
<u>(3) Contract with any entity that performs or promotes</u>	106
<u>nontherapeutic abortions;</u>	107
<u>(4) Become or continue to be an affiliate of any entity</u>	108
<u>that performs or promotes nontherapeutic abortions.</u>	109