INTRODUCED BY KLUNK, TURZAI, BARRAR, BERNSTINE, BOBACK, BOROWICZ, BROOKS, BROWN, BURNS, CAUSER, COOK, COX, SCHLEGEL CULVER, CUTLER, DAY, DIAMOND, DOWLING, DUNBAR, DUSH, ECKER, EMRICK, EVERETT, FEE, FRITZ, GILLEN, GILLESPIE, GLEIM, GREGORY, GREINER, GROVE, HAHN, HEFFLEY, HELM, HENNESSEY, HERSHEY, HICKERMELL, IRVIN, JAMES, JONES, JOZWIAK, KAIL, KAUFFMAN, KEEFER, M. K. KELLER, KNOWLES, KULIK, LAWRENCE, LEWIS, MALONEY, MARSHALL, MASSER, MEHAFFIE, MENTZER, METCALFE, MILLARD, B. MILLER, MOUL, MURT, NELSON, NESBIT, O'NEAL, OBERLANDER, ORTITAY, OWLETT, PEIFER, PICKETT, RADER, RAPP, READSHAW, REESE, RIGBY, ROAE, ROTHMAN, RYAN, SANKEY, SAYLOR, SCHEMEL, SCHMITT, STAATS, STRUZZI, TOPPER, WALSH, WARNER, WENTLING, WHEELAND AND ZIMMERMAN, APRIL 15, 2019

REFERRED TO COMMITTEE ON HEALTH, APRIL 15, 2019

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in abortion, further providing for definitions and for medical consultation and judgment.

2 The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 3203 of Title 18 of the Pennsylvania Consolidated Statutes is amended by adding a definition to read:

§ 3203. Definitions.

9 The following words and phrases when used in this chapter shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

* * *

"Down syndrome." A chromosome disorder associated with an
extra chromosome 21, in whole or in part, or an effective
trisomy for chromosome 21.

* * *

Section 2. Section 3204(c) of Title 18 is amended to read:
§ 3204. Medical consultation and judgment.

* * *

(c) Factors.--

(1) In determining in accordance with subsection (a) or
(b) whether an abortion is necessary, a physician's best
clinical judgment may be exercised in the light of all
factors (physical, emotional, psychological, familial and the
woman's age) relevant to the well-being of the woman. [No
abortion which]

(2) Except as provided under paragraph (3), an abortion
shall not be deemed a necessary abortion if any of the
following apply:

(i) The abortion is sought [solely] because of the
sex of the unborn child [Shall be deemed a necessary
abortion].

(ii) The abortion is sought because the unborn child
receives a prenatal diagnosis of Down syndrome.

(3) Paragraph (2) does not apply if any of the following
apply:

(i) The unborn child was conceived as the result of
rape or incest.

(ii) The abortion is required because of a medical
emergency.

* * *

Section 3. This act shall take effect in 60 days.