- 1 HB40
- 2 114796-2
- 3 By Representative Bentley (Constitutional Amendment)
- 4 RFD: Health
- 5 First Read: 12-JAN-10
- 6 PFD: 11/05/2009

1	114796-2:n:10/15/2009:LCG/tj LRS2009-4393R1
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8	SYNOPSIS: Under existing law, an abortion may be
9	performed under certain circumstances.
10	This bill would propose a constitutional
11	amendment that would prohibit an abortion for any
12	reason except in an extreme case where the
13	pregnancy threatens the life of the mother or where
14	there is rape or incest and would provide a penalty
15	for a violation of this amendment.
16	
17	A BILL
18	TO BE ENTITLED
19	AN ACT
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21	To propose an amendment to the Constitution of
22	Alabama of 1901, to prohibit abortion except in an extreme
23	case where the pregnancy threatens the life of the mother or
24	where there is rape or incest; and to provide a penalty for a
25	violation of this amendment.
26	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, as amended:

## PROPOSED AMENDMENT

Except in an extreme case of medical emergency where the life of the mother is threatened by the pregnancy or where there is rape or incest, any person, other than the mother, who causes or participates in the abortion of an unborn child shall be guilty of a Class B felony.

Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the Constitution of Alabama of 1901, now appearing as Sections 284 and 285 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, and the election laws of this state.

Section 3. The appropriate election official shall assign a ballot number for the proposed constitutional amendment on the election ballot and shall set forth the following description of the substance or subject matter of the proposed constitutional amendment:

"Proposing an amendment to the Constitution of Alabama of 1901, to prohibit abortion except in an extreme case where the pregnancy threatens the life of the mother or

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where there is rape or incest; and to provide a penalty for a
violation of this amendment.

"Proposed by Act _____."

This description shall be followed by the following language:

"Yes ( ) No ( )."
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