

# 2005 SESSION

INTRODUCED

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## HOUSE BILL NO. 1841

Offered January 12, 2005

Prefiled January 6, 2005

A *BILL to amend the Code of Virginia by adding in Article 9 of Chapter 4 of Title 18.2 a section numbered 18.2-76.3, relating to menstrual extraction without pregnancy test; penalty.*

Patron—Marshall, R.G.

Referred to Committee for Courts of Justice

### Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 9 of Chapter 4 of Title 18.2 a section numbered 18.2-76.3 as follows:

§ 18.2-76.3. *Performing menstrual extraction without pregnancy test; penalty.*

If any physician, registered health professional, or any person acting under the direction of a physician performs a menstrual extraction on any woman for the purpose of ensuring a nonpregnant condition without first performing a pregnancy test to determine that she is not pregnant, he shall be guilty of a Class 6 felony. The provisions of this section shall not apply to any diagnostic procedure for the detection or treatment of any pathological condition.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0 for periods of imprisonment in state adult correctional facilities and cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

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