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HOUSE BILL NO. 2347

House Amendments in [] - February 1, 2005

A BILL to amend the Code of Virginia by adding a section numbered 15.2-914.1, relating to local licensing of abortion clinics.

Patron Prior to Engrossment—Delegate Marshall, R.G.

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-914.1 as follows:

§ 15.2-914.1. Establishment or operation of abortion clinics prohibited without local license; licenses not transferable.

A. Any locality may adopt an ordinance [~~for the purpose of promoting the health, safety, and welfare of pregnant women~~] that provides for the licensing of abortion clinics, as defined in this section. Notwithstanding any other provision of law, or Board of Health regulation, in any locality that has adopted such ordinance, no person shall own, establish, conduct, maintain, manage, or operate an abortion clinic unless such clinic is licensed by the locality.

B. Each application for a license shall be made on a form prescribed by the locality, and shall specify the clinic's location, the name of the person in charge, and such additional relevant information as the locality requires.

C. Such ordinance may establish licensure fees as may be required to support the costs of the abortion clinic licensure program. Any requirements of licensure pursuant to this section shall be in addition to, not in lieu of, any other requirements imposed on such facilities by law or Board of Health regulation. No license issued hereunder shall be assignable or transferable.

D. As used in this section, "abortion clinic" means any facility, other than a hospital as defined in § 32.1-123, in which 25 or more first trimester abortions are performed in any 12-month period.

[2. That if no ordinance is adopted under the provisions of this act, this section shall expire on July 1, 2010.]

ENGROSSED

HB2347E