

LD2029346

**HOUSE BILL NO. 2486**

Offered January 23, 1995

*A BILL to amend and reenact § 18.2-74 of the Code of Virginia, relating to abortion.*

Patrons—McClure and McDonnell

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:****1. That § 18.2-74 of the Code of Virginia is amended and reenacted as follows:**

§ 18.2-74. When abortion or termination of pregnancy lawful and unlawful after second trimester of pregnancy; penalty.

A. Notwithstanding any of the provisions of § 18.2-71 and in addition to the provisions of §§ 18.2-72 and 18.2-73, it shall be lawful for any physician licensed by the Board of Medicine to practice medicine and surgery to terminate or attempt to terminate a human pregnancy or aid or assist in the termination of a human pregnancy by performing an abortion or causing a miscarriage on any woman in a stage of pregnancy subsequent to the second trimester provided the following conditions are met:

(a) 1. Said operation is performed in a hospital licensed by the Virginia State Department of Health or under the control of the State Board of Mental Health, Mental Retardation and Substance Abuse Services.

(b) 2. The physician and two consulting physicians certify and so enter in the hospital record of the woman, that in their medical opinion, based upon their best clinical judgment, the continuation of the pregnancy is likely to result in the death of the woman or substantially and irretrievably impair the mental or physical health of the woman.

(c) 3. Measures for life support for the product of such abortion or miscarriage must be available and utilized if there is any clearly visible evidence of viability.

B. Notwithstanding the provisions of subsection A, if any person terminates or attempts to terminate a human pregnancy or aid or assist in the termination of a human pregnancy by performing an abortion by the method of dilatation and extraction on any woman in a stage of pregnancy subsequent to the second trimester, except in accordance with § 18.2-74.1, he is guilty of a Class 1 misdemeanor.

INTRODUCED

HB2486