

By: Representative Tullos

To: Judiciary B

HOUSE BILL NO. 148

1 AN ACT TO CREATE THE "SAFEGUARDING TEENS FROM OUT-OF-STATE
 2 (ABORTION) PROCEDURES (STOP) ACT"; TO DECLARE CERTAIN LEGISLATIVE
 3 FINDINGS; TO DEFINE CERTAIN TERMS; TO CREATE A FELONY OFFENSE FOR
 4 PROCURING AN ABORTION OR ABORTION-INDUCING DRUG FOR A MINOR GIRL
 5 OR FOR AIDING IN THE PROCUREMENT OF AN ABORTION BY HARBORING OR
 6 TRANSPORTING A MINOR GIRL WITH THE INTENT TO CONCEAL THE ABORTION
 7 FROM THE CHILD'S PARENTS; TO DECLARE THAT IT IS NOT AN AFFIRMATIVE
 8 DEFENSE THAT THE ABORTION OCCURRED IN ANOTHER STATE; TO AUTHORIZE
 9 CIVIL REMEDIES FOR VIOLATIONS OF THIS ACT; TO AUTHORIZE THE
 10 LEGISLATURE TO APPOINT MEMBERS TO INTERVENE IN ANY CASE
 11 CHALLENGING THE CONSTITUTIONALITY AND ENFORCEABILITY OF THIS ACT;
 12 AND FOR RELATED PURPOSES.

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

14 **SECTION 1.** This act shall be known and may be cited as the
 15 "Safeguarding Teens from Out-of-State (Abortion) Procedures (STOP)
 16 Act."

17 **SECTION 2.** The Legislature finds the following:

18 (a) The medical, emotional and psychological
 19 consequences of abortion are often serious and can be lasting,
 20 particularly when the patient is young or immature.

21 (b) Parents and guardians usually possess information
 22 essential to a healthcare provider's exercise of the provider's
 23 best medical judgment concerning a minor girl.



24 (c) Parents or guardians should be consulted and
25 provided with all relevant information related to any medical
26 procedure their child may undergo, including abortion.

27 (d) Parents and guardians have the fundamental right to
28 make healthcare decisions in their child's best interest and
29 should be supported fully and informed as they make those
30 decisions.

31 (e) Under Section 41-41-53, the State of Mississippi
32 requires parental consent before a minor girl undergoes an
33 abortion.

34 **SECTION 3.** As used in this act, the following words and
35 phrases have the meanings ascribed in this section unless the
36 context clearly requires otherwise:

37 (a) "Abortion" means the act of using or prescribing
38 any instrument, medicine, drug or other substance, device or means
39 with the intent to terminate the clinically diagnosable pregnancy
40 of a woman and for the purpose of ensuring the death of her unborn
41 child. "Abortion" does not include an action if done with the
42 intent to:

43 (i) Save the life or preserve the health of the
44 unborn child;

45 (ii) Remove a dead unborn child caused by
46 miscarriage;

47 (iii) Remove an ectopic pregnancy; or



48 (iv) Perform a pre-viability separation procedure
49 when the procedure, in reasonable medical judgment, is necessary
50 to save or preserve the life of the pregnant woman.

51 (b) "Abortion-inducing drug" means any medicine, drug
52 or other substance prescribed or dispensed with the intent of
53 terminating the clinically diagnosable pregnancy of a woman and
54 for the purpose of ensuring the death of her unborn child.
55 "Abortion-inducing drug" includes the off-label use of drugs known
56 to have abortion-inducing properties which are prescribed
57 specifically with the intent of causing an abortion.

58 "Abortion-inducing drug" does not include drugs that may be known
59 to cause an abortion but which are prescribed for other medical
60 indications.

61 (c) "Assistance" means lodging, shelter, transportation
62 or money that can help a minor girl procure an abortion or obtain
63 abortion-inducing drugs, while avoiding detection by or the
64 involvement of her parents or legal guardian.

65 (d) "Ectopic pregnancy" means the state of carrying an
66 unborn child outside of the uterine cavity.

67 (e) "Harboring" means providing assistance to a minor
68 girl in order to procure an abortion or to obtain
69 abortion-inducing drugs without the knowledge, consent or
70 involvement of her parents or legal guardian.



71 (f) "Minor girl" means a female resident of the State
72 of Mississippi under the age of eighteen (18) years who is not
73 emancipated.

74 (g) "Miscarriage" means a spontaneous loss of the
75 unborn child.

76 (h) "Pre-viability separation procedure" means a
77 medical procedure other than an abortion which is performed by a
78 physician to remove an unborn child from the mother's uterine
79 cavity before that stage of fetal development when, in the
80 reasonable medical judgment of the physician based on the
81 particular facts of the case and in light of the most advanced
82 medical technology and information available to the physician,
83 there is a reasonable likelihood of sustained survival of the
84 unborn child outside the body of the mother, with or without
85 artificial support.

86 (i) "Transporting" means to move a minor girl within,
87 into, out of or through the State of Mississippi for the purpose
88 of procuring an abortion or obtaining abortion-inducing drugs.

89 **SECTION 4.** (1) A person who, with the intent to conceal an
90 abortion from the parents or guardian of a minor girl, procures an
91 abortion for the minor girl, obtains an abortion-inducing drug for
92 the minor girl, or aids or abets the minor girl in procuring an
93 abortion or obtaining an abortion-inducing drug by harboring or
94 transporting the minor girl is guilty of a felony punishable by
95 commitment to the custody of the Mississippi Department of



96 Corrections for not less than twenty (20) years nor more than life
97 in prison, or by a fine of not less than Fifty Thousand Dollars
98 (\$50,000.00) nor more than Five Hundred Thousand Dollars
99 (\$500,000.00), or both.

100 (2) As used in subsection (1) of this section, the terms
101 "procure" and "obtain" do not include providing information
102 regarding a health benefit plan or constitutionally protected
103 speech or expression.

104 (3) This act may not be construed to subject a minor girl to
105 criminal conviction or penalty.

106 **SECTION 5.** (1) It is an affirmative defense to prosecution
107 under this act that a parent or guardian of a minor girl consented
108 to the harboring or transporting of the minor girl.

109 (2) It is not an affirmative defense to prosecution under
110 this act that the person or entity performing the abortion or
111 providing the abortion-inducing drug is located in another state.

112 **SECTION 6.** (1) In addition to any other remedy that may be
113 available under law, a violation of this act is a basis for a
114 civil action for actual and punitive damages and injunctive
115 relief, including reasonable attorney's fees.

116 (2) This act may not be construed to subject a minor girl to
117 civil liability or penalty.

118 **SECTION 7.** (1) This act may not be construed as creating or
119 recognizing a right to abortion.



120 (2) This act may not be construed as making lawful an
121 abortion that is otherwise unlawful under the laws of this state.

122 **SECTION 8.** It is the intent of the Legislature that every
123 provision of this act operate with equal force and is severable
124 one (1) from the other. If a provision of this act is held
125 invalid or unenforceable by a court of competent jurisdiction,
126 that provision must be deemed severable and the remaining
127 provisions of this act deemed fully enforceable.

128 **SECTION 9.** The Legislature may appoint one or more of its
129 members to intervene in any case in which the constitutionality or
130 enforceability of this act is challenged.

131 **SECTION 10.** This act shall take effect and be in force from
132 and after July 1, 2025.

