Adopted
AMENDMENT NO 1 PROPOSED TO

House Bill No. 1613

BY: Representatives Hurst, Arnold, Hall, Eubanks

AMEND by inserting the following new paragraph after line 16:

"(3) To create, sell, barter, transfer, manufacture, distribute, dispense, prescribe or possess with intent to create, sell, barter, transfer, manufacture, distribute, dispense or prescribe an "abortion-inducing drug," which is defined as a medicine, drug or any other substance prescribed or dispensed with the intent of terminating the clinically diagnosable pregnancy of a woman to cause the death of the unborn child. This includes the use of drugs known to have abortion-inducing properties, which are prescribed specifically with the intent of causing an abortion. Use of those drugs to induce abortion is also known as "medical abortion." This definition does not apply to drugs that may be known to cause an abortion but are prescribed for other medical indications, such chemotherapeutic agents and diagnostic drugs."

AMEND FURTHER by inserting the following new paragraph after line 106:

"(5) For "abortion-inducing drugs" as defined in subsection (a)(3), imprisonment in the custody of the Department of Corrections for not less than one (1) year nor more than ten (10) years. In addition to the criminal penalties provided for in this subsection (b), the Attorney General may bring a civil action in the name of the State of Mississippi to enjoin any violation of subsection (a) of this section related to abortion-inducing drugs, to obtain declaratory or injunctive relief, and to recover civil penalties and costs. The court may make such additional orders or judgments, including restitution, as may be necessary for damages proximately caused by a violation of this section related to abortion-inducing drugs. It is not a defense to civil liability under this paragraph (5) that a defendant has been acquitted or has not been prosecuted or convicted under this section or has been convicted of a different offense or of a different type or class of offense, for the conduct that is alleged to give rise to liability under this paragraph (5). Civil actions provided under this this paragraph (5) are cumulative and do not preclude criminal prosecution."

AMEND FURTHER the title to conform.