

**Adopted  
AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 1613**

**BY: Representatives Hurst, Arnold, Hall, Eubanks**

1           **AMEND** by inserting the following new paragraph after line 16:  
2           "(3) To create, sell, barter, transfer, manufacture,  
3 distribute, dispense, prescribe or possess with intent to create,  
4 sell, barter, transfer, manufacture, distribute, dispense or  
5 prescribe an "abortion-inducing drug," which is defined as a  
6 medicine, drug or any other substance prescribed or dispensed with  
7 the intent of terminating the clinically diagnosable pregnancy of  
8 a woman to cause the death of the unborn child. This includes the  
9 use of drugs known to have abortion-inducing properties, which are  
10 prescribed specifically with the intent of causing an abortion.  
11 Use of those drugs to induce abortion is also known as "medical  
12 abortion." This definition does not apply to drugs that may be  
13 known to cause an abortion but are prescribed for other medical  
14 indications, such chemotherapeutic agents and diagnostic drugs."



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

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

36           **AMEND FURTHER** the title to conform.

