

March 15, 1999

**S 349. BAN PARTIAL-BIRTH ABORTIONS. TO BAN PARTIAL-BIRTH ABORTIONS.** Recodifies existing Article 11 of Chapter 14 (Abortion and Kindred Offenses) as Part 1, and creates a new Article 11, Part 2 entitled "Partial-Birth Abortion Ban." Makes it a Class H felony to perform partial-birth abortion, defined as "an abortion in which the person performing the abortion partially vaginally delivers a living fetus before killing the fetus and completing the delivery." Provides a civil remedy for money damages for the father of the fetus, if the father was married to the mother at the time of the abortion, and for the maternal grandparents of the fetus if the mother was an unemancipated minor at the time of the abortion. Statute does not apply if the mother's life is endangered by a physical disorder, illness, or injury, or if the procedure is necessary to save the mother's life. A person accused under the statute may seek a hearing before the North Carolina Medical Board on whether the abortion was necessary to save the life of the mother whose life was endangered by a physical disorder, illness, or injury. A woman upon whom the procedure is performed is not subject to prosecution or to civil liability under the statute.

**Intro. by Allran.**

Ref. to Ch. & Hum Res.

GS 14