

HOUSE BILL NO. 1171

Introduced by

Representatives Steiner, K. Anderson, Headland, Karls, Kasper, Lefor, Rohr, D. Ruby,
Schatz, VanWinkle

Senators Myrdal, Rummel

1 A BILL for an Act to create and enact a new section to chapter 12.1-17 of the North Dakota
2 Century Code, relating to prohibiting a forced or coerced abortion; and to provide a penalty.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 12.1-17 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Forced or coerced abortion - Penalty.**

7 1. As used in this section:

8 a. "Abortion" means the act of using or prescribing any instrument, medicine, drug,
9 or any other substance, device, or means with the intent to terminate the clinically
10 diagnosable intrauterine pregnancy of a woman, including the elimination of one
11 or more unborn children in a multifetal pregnancy, with knowledge the termination
12 will with reasonable likelihood cause the death of the unborn child. The use,
13 prescription, or means is not an abortion if done with the intent to:

14 (1) Save the life or preserve the health of the unborn child;

15 (2) Remove a dead unborn child caused by spontaneous abortion; or

16 (3) Treat a woman for an ectopic pregnancy.

17 b. "Force or coerce" means committing, attempting to commit, or threatening to
18 commit physical harm to a woman, the unborn child, or another individual
19 intended to compel the woman to have an abortion performed against her will.

20 c. "Threat" means at least one statement, or a course of conduct by the individual,
21 which places a woman in reasonable apprehension that the individual will follow
22 through with the statement or act as implied by the individual's course of conduct.

- 1 The term does not include constitutionally protected speech or any generalized
- 2 statement regarding a lawful pregnancy option.
- 3 2. It is a class C felony to force or coerce a woman to have an abortion against her will.
- 4 3. Upon the request of the victim, a law enforcement agency investigating a violation of
- 5 this section shall notify the victim not less than twenty-four hours before initially
- 6 contacting the individual alleged to have committed a violation of this section.