

SENATE BILL 1728

By Lamar

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 15; Title 63 and Title 68, relative to
women's health.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-15-213, is amended by deleting subsection (b) and (c) and substituting:

(b) A person commits the offense of criminal abortion when the person performs or attempts to perform an abortion that was not:

(1) Performed or attempted by a licensed physician who determined, based upon the facts known to the physician at the time, that the abortion was necessary to protect the physical or mental health of the pregnant woman; or

(2) Performed or attempted by a licensed physician on a patient whose pregnancy is the result of aggravated rape, as described in § 39-13-502; rape, as described in § 39-13-503; rape of a child, as described in § 39-13-522; especially aggravated rape, as described in § 39-13-534; especially aggravated rape of a child, as described in § 39-13-535; or incest, as described in § 39-15-302; provided, that the physician performing the abortion must verify that the patient reported the offense to the appropriate law enforcement agency prior to the procedure.

(c) Criminal abortion is a Class C felony.

SECTION 2. This act takes effect July 1, 2024, the public welfare requiring it.