

SECOND REGULAR SESSION

SENATE BILL NO. 1202

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR KOENIG.

5825S.01H

ADRIANE D. CROUSE, Secretary

AN ACT

To amend chapter 188, RSMo, by adding thereto one new section relating to abortion.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 188, RSMo, is amended by adding thereto
2 one new section, to be known as section 188.550, to read as
3 follows:

188.550. 1. Notwithstanding any other provision of
2 law to the contrary, the provisions of this chapter; the
3 laws of this state on the use of public funds for an
4 abortion; and the laws of this state which regulate in any
5 manner an abortion facility that, or a person who, performs
6 or induces an abortion on another, or attempts or conspires
7 to perform or induce an abortion on another, shall apply to
8 all conduct occurring:

9 (1) Within this state;

10 (2) Partially within and partially outside this state,
11 including, but not limited to, when:

12 (a) One or more doses of a multi-dose regimen of a
13 drug or chemical, or combination thereof, used to induce an
14 abortion is administered or expected to be administered by
15 any means within this state, while another dose or dosages
16 of such drug or chemical, or combination thereof, is
17 administered or expected to be administered by any means
18 outside this state;

19 (b) An abortion is performed or induced, or is
20 attempted to be performed or induced, outside this state,
21 while any:

22 a. Informed consent or pre- or post-abortion
23 counseling related to performing or inducing the abortion
24 occurs within this state;

25 b. Payment, including partial payment, related to
26 performing or inducing the abortion occurs within this
27 state; or

28 c. Advertising or solicitation related to performing
29 or inducing the abortion is targeted at this state or any
30 resident of this state; or

31 (3) Outside this state, when:

32 (a) The conduct of a person or entity creates a
33 substantial connection with this state;

34 (b) A person or entity is incorporated or maintains
35 his, her, or its principal place of residence or principal
36 place of business within this state; or

37 (c) It involves a resident of this state, including an
38 unborn child who is a resident of this state. An unborn
39 child shall be considered a resident of this state when:

40 a. The mother of the child is a resident of this state
41 at the time the abortion is, or would have been, performed
42 or induced;

43 b. The mother of the child was a resident of this
44 state around the time that the child may have been conceived;

45 c. The mother intends to give birth to the child
46 within this state if the pregnancy is carried to term;

47 d. Sexual intercourse occurred within this state and
48 the child may have been conceived by that act of intercourse;

49 e. The child is born alive within this state after an
50 attempted abortion;

51 f. The mother of the child sought prenatal care,
52 coverage, or services within this state during the pregnancy
53 with the child; or

54 g. The mother of the child otherwise had a substantial
55 connection with this state, other than mere physical
56 presence, during the pregnancy with the child; or

57 (4) Anywhere in the world, when it involves an offense
58 related to genocide, as described in 18 U.S.C. Section 1091,
59 and such offense also involves forced abortions. The state
60 of Missouri recognizes and declares that it has authority
61 under 18 U.S.C. Section 1092 to broadly apply state law as
62 it relates to genocide involving forced abortions.

63 2. The provisions of subsection 1 of this section
64 shall:

65 (1) Be liberally construed to effectuate its purposes;

66 (2) Apply to all criminal, civil, and administrative
67 laws and proceedings;

68 (3) Apply to actors and those being acted upon;

69 (4) Be in addition to, and not in lieu of, all other
70 jurisdiction and authority that this state has to enforce
71 its laws; and

72 (5) Be applied, interpreted, and construed in a manner
73 consistent with the Constitution of the United States and
74 the constitution of this state.

75 3. Nothing in the provisions of subsection 1 of this
76 section shall be construed to require or permit the
77 licensing or inspection by this state of an abortion
78 facility or hospital located outside this state where
79 abortions are performed or induced.

80 4. Notwithstanding any other provision of law to the
81 contrary and in furtherance of the state's authority to
82 enforce the laws of this state under the provisions of

83 subsection 1 of this section, the attorney general, law
84 enforcement agencies, courts, and administrative agencies of
85 this state are authorized to issue subpoenas, conduct
86 discovery, or engage in any other legal, investigative, or
87 administrative processes reasonably related to the
88 enforcement of such laws.

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