

**BILL SUMMARY**  
2nd Session of the 53rd Legislature

<b>Bill No.:</b>	<b>SB 1274</b>
<b>Version:</b>	<b>Engrossed</b>
<b>Request Number:</b>	<b>N/A</b>
<b>Author:</b>	<b>Rep. Peterson / Sen. Newberry</b>
<b>Date:</b>	<b>3/26/2012</b>
<b>Impact:</b>	<b>\$0</b>

**Research Analysis**

SB 1274 creates the Heartbeat Informed Consent Act to require an abortion provider to tell a patient who is at least eight weeks pregnant before she gives informed consent to an abortion that it may be possible to make the heartbeat of the unborn child audible and ask the patient if she would like to hear it. If the woman consents, the provider must use a Doppler fetal heart rate monitor to make the heartbeat audible. Providers are not in violation of the act if they make an attempt using standard medical practice, the heartbeat is not audible and they offer to try again at a later date. The provisions do not apply in the case of an abortion necessary to avert the mother's death or in the case of a medical emergency. It requires the provider to certify the specific medical condition that led to that determination and include the certification in the patient's file.

The measure makes violation of the act a misdemeanor. It authorizes the woman or the father of the unborn child to maintain an action against the person who performed or induced the abortion in violation of the act and permits the woman to maintain an action against the provider for an attempted violation of the act. It also permits the woman or her spouse, parent, sibling, guardian or current or former licensed healthcare provider, the local DA or the attorney general to maintain a cause of action for injunctive relief against a provider to prevent further abortions in violation of the act. The measure also provides for the reimbursement of attorney fees and the woman's anonymity.

Prepared By: Robin McAlister

**Fiscal Analysis**

SB 1274 in its current form has no direct impact on the State Budget or Appropriations.

Prepared By: John McPhetridge

**Other Considerations**

None at this time