

BY: Delegates Brown and Pitkin

AMENDMENTS TO SENATE BILL NO. 194
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, after line 14, insert:

“BY repealing and reenacting, without amendments,

Article - Health - General

Section 4-201(j)

Annotated Code of Maryland

(1994 Replacement Volume and 1998 Supplement)

BY repealing and reenacting, without amendments,

Article - Health - General

Section 20-207 and 20-209(a)

Annotated Code of Maryland

(1996 Replacement Volume and 1998 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 1, insert:

“4-201.

(j) “Live birth” means the complete expulsion or extraction of a product of human conception from the mother, regardless of the period of gestation, if, after the expulsion or extraction, it breathes or shows any other evidence of life, such as heart beat, pulsation of the umbilical cord, or definite movement of voluntary muscle, whether or not the umbilical cord is cut or the placenta is attached.

20-207.

(Over)

In Part II of this subtitle, the word “physician” means any person, including a doctor of osteopathy, licensed to practice medicine in the State of Maryland in compliance with the provisions of Title 14 of the Health Occupations Article.

20-209.

(a) In this section, “viable” means that stage when, in the best medical judgment of the attending physician based on the particular facts of the case before the physician, there is a reasonable likelihood of the fetus's sustained survival outside the womb.”;

and strike in their entirety lines 14 through 29, inclusive, and substitute:

“(2) “LIVE BIRTH” HAS THE MEANING STATED IN § 4-201(J) OF THIS ARTICLE.

(3) “PARTIAL-BIRTH ABORTION” MEANS THE PERFORMANCE OF AN INTACT EXTRACTION THAT IS INITIATED BEFORE A VIABLE FETUS DIES FOR PURPOSES OTHER THAN TO FACILITATE A LIVE BIRTH.

(4) “PHYSICIAN” HAS THE MEANING STATED IN § 20-207 OF THIS PART.

(5) “VIABLE” HAS THE MEANING STATED IN § 20-209(A) OF THIS PART.”.

AMENDMENT NO. 3

On page 2, strike beginning with “AND” in line 31 down through “FETUS” in line 32.