



AN ACT REQUIRING THAT CERTAIN MEDICAL PRACTITIONERS BE PHYSICALLY PRESENT WHEN PERFORMING OR PROVIDING CERTAIN ABORTION SERVICES TO A PREGNANT WOMAN; AND PROVIDING A PENALTY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Physical presence required -- penalty. (1) A medical practitioner may not perform or attempt to perform an abortion, including a chemically induced abortion, on a pregnant woman or prescribe, administer, or dispense to a pregnant woman a drug or device that is intended to cause a chemical abortion except in the physical presence of the woman.

(2) (a) A person who purposely or knowingly violates this section is guilty of a misdemeanor and shall be fined an amount not to exceed \$500, imprisoned for a term not to exceed 6 months, or both.

(b) For a second offense, the person is guilty of a felony and shall be fined an amount not less than \$500 or more than \$1,000, imprisoned for a term of not less than 6 months or more than 2 years, or both.

(c) For a third or subsequent offense, the person is guilty of a felony and shall be fined an amount not less than \$1,000 or more than \$10,000, imprisoned for a term of not less than 1 year or more than 5 years, or both.

(3) As used in this section, the following definitions apply:

(a) "Medical practitioner" means a person licensed by the state of Montana whose scope of practice includes the performance of an abortion or who is authorized to prescribe, administer, or dispense a drug or device that is intended to cause an abortion.

(b) "Physical presence" means present in person and does not include the use of telehealth services.

Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 50, chapter 20, part 4, and the provisions of Title 50, chapter 20, part 4, apply to [section 1].

- END -

I hereby certify that the within bill,
HB 0587, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2015.

President of the Senate

Signed this _____ day
of _____, 2015.

HOUSE BILL NO. 587

INTRODUCED BY K. REGIER

AN ACT REQUIRING THAT CERTAIN MEDICAL PRACTITIONERS BE PHYSICALLY PRESENT WHEN PERFORMING OR PROVIDING CERTAIN ABORTION SERVICES TO A PREGNANT WOMAN; AND PROVIDING A PENALTY.