

1 HOUSE BILL NO. 587

2 INTRODUCED BY K. REGIER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT CERTAIN MEDICAL PRACTITIONERS BE
5 PHYSICALLY PRESENT WHEN PERFORMING OR PROVIDING CERTAIN ABORTION SERVICES TO A
6 PREGNANT WOMAN; AND PROVIDING A PENALTY."

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

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

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

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

18 (c) For a third or subsequent offense, the person is guilty of a felony and shall be fined an amount not
19 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
20 both.

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

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

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

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

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