

State of South Dakota

NINETY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2019

481B0711

SENATE ENGROSSED NO. **HB 1177** - 3/7/2019

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Representatives Frye-Mueller, Brunner, and Pischke and Senators Nelson, DiSanto, Jensen (Phil), and Russell

1 FOR AN ACT ENTITLED, An Act to provide an opportunity to view a sonogram and hear the
2 child's heartbeat prior to an abortion.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 34-23A-52 be amended to read:

5 34-23A-52. ~~No facility that performs abortions may perform an abortion on a pregnant~~
6 ~~woman without first offering the pregnant woman an opportunity to view a sonogram of her~~
7 ~~unborn child. The woman's response to the offer shall be documented by the facility, including~~
8 ~~the date and time of the offer and the woman's signature attesting to her informed decision. No~~
9 physician may take a consent for an abortion from a pregnant mother without first offering the
10 pregnant mother an opportunity to view a sonogram and hear the heartbeat of her unborn child.
11 The physician shall offer to describe the images on the sonogram if the pregnant mother
12 consents. The pregnant mother's response to the offer under this section shall be documented
13 by the physician in the patient's medical records, including the date and time of the offer and the
14 pregnant mother's signature to her response to the offer.



1 Section 2. That chapter 34-23A be amended by adding a NEW SECTION to read:

2 The provisions of § 34-23A-52 do not apply to an abortion provider or facility in the case
3 of a medical emergency. Upon a determination by a physician under this section that a medical
4 emergency exists, the physician shall certify the specific medical conditions that constitute the
5 emergency.