

2 **ESHB 2395** - S AMD - 904
3 By Senator Swecker

4 OUT OF ORDER AFTER ADOPTION OF #827

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 9.02 RCW
8 to read as follows:

9 For the purposes of section 2 of this act, "partial-birth abortion"
10 means the act of intentionally terminating the life of a fetus after
11 the fetus has entered the birth canal.

12 **Sec. 2.** RCW 9.02.110 and 1992 c 1 s 2 are each amended to read as
13 follows:

14 The state may not deny or interfere with a woman's right to choose
15 to have an abortion prior to viability of the fetus, or to protect her
16 life or health. Provided, that if a physician determines that a
17 surgical procedure is necessary to protect the life or health of the
18 mother, then every reasonable effort shall be made by the physician to
19 protect and preserve the life of the viable fetus. The term surgical
20 procedure includes a partial-birth abortion.

21 A physician may terminate and a health care provider may assist a
22 physician in terminating a pregnancy as permitted by this section.

23 NEW SECTION. **Sec. 3.** The secretary of state shall submit this act
24 to the people for their adoption and ratification, or rejection, at the
25 next general election to be held in this state, in accordance with
26 Article II, section 1 of the state Constitution and the laws adopted to
27 facilitate its operation."

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4 On page 1, line 1 of the title, after "RCW" strike the remainder of
5 the title, and insert "9.02.110; adding a new section to chapter 9.02
6 RCW; and providing for submission of this act to a vote of the people."

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