HEARTBEAT BILL - HB 1196 (Committee Sub)
Representative Andy Gipson
STATUS: Passed out of both JUD B and PH on 2/1/2012 - on House Calendar
Committee Sub bans abortions after a detectable heartbeat unless the mother’s life is endangered.

SUMMARY OF HB 1196: MISSISSIPPI HEARTBEAT BILL

I. Section 1 creates a new code section. Section 1 contains 11 subsections:
   Subsection 1: Findings related to viability at the detection of fetal heartbeat.
   Subsection 2: Definitions.
   Subsection 3: Requirement that, unless a medical emergency exists, no person shall perform an abortion before determining if the unborn child has a detectable fetal heartbeat.
   Subsection 4: Subsection 4 applies to all abortions not prohibited by law in Mississippi (such as life of the mother, rape, incest) - and requires informed consent in each of these circumstances.
   Subsection 5: Generally prohibits any person from knowingly performing an abortion where the fetal heartbeat has been detected. There are only two exceptions to this prohibition under subsection 5: a) medical procedure necessary for life of the mother; and b) where the examination did not detect a fetal heartbeat.
   Subsection 6: Requires that any person performing an abortion to preserve the life of the mother must document same under penalty of perjury.
   Subsection 7: Clarifies that a pregnant woman on whom an abortion is performed in violation of subsection 3 or 5 is not herself guilty of the violation or conspiracy to violate the law.
   Subsection 8: Nothing in this section prohibits contraceptive methods.
   Subsection 9: If any provision of this section is found by a court to be unconstitutional, the effective date is delayed until certain findings.
   Subsection 10: If a provision of the section is found constitutional, the provision shall apply prospectively.
   Subsection 11: Severability clause in the event any provision is found invalid.

II. Section 2 expands the grounds for non-issuance, suspension, revocation, or restriction of a physician’s license to include cases in violation of Section 1.

III. Section 3 - Effective date of July 1, 2012.

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