

House Bill 2402

Sponsored by Representative DIEHL (at the request of Peter O'Brien, Troy Gulstrom) (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits public funding of abortions. Prohibits public body from taking adverse actions against health care provider for declining to participate in performance of abortions.

A BILL FOR AN ACT

1
2 Relating to abortions; creating new provisions; and amending ORS 435.225.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** (1) **As used in this section, "abortion" means the use or prescription of any**
5 **instrument, medicine, drug or any other substance or device to terminate the pregnancy of**
6 **a person known to be pregnant, if the intention is other than to increase the probability of**
7 **a live birth, to preserve the life or health of the child after live birth or to remove a dead**
8 **unborn child who died as the result of natural causes in utero, accidental trauma or a**
9 **criminal assault on the pregnant person or the unborn child, and that use or prescription**
10 **causes the premature termination of the pregnancy.**

11 (2) **Notwithstanding ORS 659.880, public funds may not be used in this state to pay for**
12 **or otherwise provide access to abortion services.**

13 **SECTION 2.** ORS 435.225 is amended to read:

14 435.225. (1) Any employee of the Oregon Health Authority may refuse to accept the duty of of-
15 fering family planning and birth control services to the extent that such duty is contrary to the
16 personal or religious beliefs of the employee. However, such employee shall notify the immediate
17 supervisor in writing of such refusal in order that arrangements may be made for eligible persons
18 to obtain such information and services from another employee. Such refusal shall not be grounds
19 for any disciplinary action, for dismissal, for any interdepartmental transfer, for any other discrim-
20 ination in employment, or for suspension from employment, or for any loss in pay or other benefits.

21 (2)(a) **As used in this subsection:**

22 (A) **"Abortion" means the use or prescription of any instrument, medicine, drug or any**
23 **other substance or device to terminate the pregnancy of a person known to be pregnant, if**
24 **the intention is other than to increase the probability of a live birth, to preserve the life or**
25 **health of the child after live birth or to remove a dead unborn child who died as the result**
26 **of natural causes in utero, accidental trauma or a criminal assault on the pregnant person**
27 **or the unborn child, and that use or prescription causes the premature termination of the**
28 **pregnancy.**

29 (B) **"Health care provider" means a person who is licensed, certified, registered or oth-**
30 **erwise authorized by law in this state to administer medical treatment in the practice of a**
31 **health care profession.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **(b) A public body, as defined in ORS 174.109, may not discharge, suspend, demote, harass,**
2 **deny employment of or otherwise take adverse action against a health care provider because**
3 **the provider declines to participate in the provision of abortion services in this state.**

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