AN ACT

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in abortion, further providing for publicly owned facilities, public officials and public funds.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 3215(a)(2) and (3), (c), (i) and (j) of Title 18 of the Pennsylvania Consolidated Statutes are amended to read:

§ 3215. Publicly owned facilities; public officials and public funds.

(a) Limitations.--No hospital, clinic or other health facility owned or operated by the Commonwealth, a county, a city or other governmental entity (except the government of the United States, another state or a foreign nation) shall:

[[(2) Lease or sell or permit the subleasing of its facilities or property to any physician or health facility]]
for use in the provision, inducement or performance of abortion, except abortion necessary to avert the death of the woman or to terminate pregnancies initiated by acts of rape or incest if reported in accordance with requirements set forth in subsection (c).

(3) Enter into any contract with any physician or health facility under the terms of which such physician or health facility agrees to provide, induce or perform abortions, except abortion necessary to avert the death of the woman or to terminate pregnancies initiated by acts of rape or incest if reported in accordance with requirements set forth in subsection (c).

* * *

[(c) Public funds.--No Commonwealth funds and no Federal funds which are appropriated by the Commonwealth shall be expended by any State or local government agency for the performance of abortion, except:

(1) When abortion is necessary to avert the death of the mother on certification by a physician. When such physician will perform the abortion or has a pecuniary or proprietary interest in the abortion there shall be a separate certification from a physician who has no such interest.

(2) When abortion is performed in the case of pregnancy caused by rape which, prior to the performance of the abortion, has been reported, together with the identity of the offender, if known, to a law enforcement agency having the requisite jurisdiction and has been personally reported by the victim.

(3) When abortion is performed in the case of pregnancy caused by incest which, prior to the performance of the
abortion, has been personally reported by the victim to a law
enforcement agency having the requisite jurisdiction, or, in
the case of a minor, to the county child protective service
agency and the other party to the incestuous act has been
named in such report.]

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[(i) Public funds for legal services.--No Federal or State
funds which are appropriated by the Commonwealth for the
 provision of legal services by private agencies, and no public
funds generated by collection of interest on lawyer's trust
accounts, as authorized by statute previously or subsequently
enacted, may be used, directly or indirectly, to:

(1) Advocate the freedom to choose abortion or the
prohibition of abortion.

(2) Provide legal assistance with respect to any
proceeding or litigation which seeks to procure or prevent
any abortion or to procure or prevent public funding for any
abortion.

(3) Provide legal assistance with respect to any
proceeding or litigation which seeks to compel or prevent the
performance or assistance in the performance of any abortion,
or the provision of facilities for the performance of any
abortion.

Nothing in this subsection shall be construed to require or
prevent the expenditure of funds pursuant to a court order
awarding fees for attorney's services under the Civil Rights
2641), nor shall this subsection be construed to prevent the use
of public funds to provide court appointed counsel in any
proceeding authorized under section 3206 (relating to parental
(j) Required statements.--No Commonwealth agency shall make any payment from Federal or State funds appropriated by the Commonwealth for the performance of any abortion pursuant to subsection (c)(2) or (3) unless the Commonwealth agency first:

(1) receives from the physician or facility seeking payment a statement signed by the physician performing the abortion stating that, prior to performing the abortion, he obtained a non-notarized, signed statement from the pregnant woman stating that she was a victim of rape or incest, as the case may be, and that she reported the crime, including the identity of the offender, if known, to a law enforcement agency having the requisite jurisdiction or, in the case of incest where a pregnant minor is the victim, to the county child protective service agency and stating the name of the law enforcement agency or child protective service agency to which the report was made and the date such report was made;

(2) receives from the physician or facility seeking payment, the signed statement of the pregnant woman which is described in paragraph (1). The statement shall bear the notice that any false statements made therein are punishable by law and shall state that the pregnant woman is aware that false reports to law enforcement authorities are punishable by law; and

(3) verifies with the law enforcement agency or child protective service agency named in the statement of the pregnant woman whether a report of rape or incest was filed with the agency in accordance with the statement.

The Commonwealth agency shall report any evidence of false statements, of false reports to law enforcement authorities or
of fraud in the procurement or attempted procurement of any payment from Federal or State funds appropriated by the Commonwealth pursuant to this section to the district attorney of appropriate jurisdiction and, where appropriate, to the Attorney General.]

Section 2. This act shall take effect in 60 days.