
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 21 Session of
2019

INTRODUCED BY MARTIN, SCARNATI, GORDNER, AUMENT, MENSCH,
DISANTO, SCAVELLO, J. WARD, FOLMER, HUTCHINSON, K. WARD,
STEFANO, YAW, REGAN, PHILLIPS-HILL AND LANGERHOLC,
MAY 20, 2019

REFERRED TO HEALTH AND HUMAN SERVICES, MAY 20, 2019

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in abortion, further providing for
3 definitions and for medical consultation and judgment.

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

6 Section 1. Section 3203 of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended by adding a definition to read:

8 § 3203. Definitions.

9 The following words and phrases when used in this chapter
10 shall have, unless the context clearly indicates otherwise, the
11 meanings given to them in this section:

12 * * *

13 "Down syndrome." A chromosome disorder associated with an
14 extra chromosome 21, in whole or in part, or an effective
15 trisomy for chromosome 21.

16 * * *

17 Section 2. Section 3204(c) of Title 18 is amended to read:

1 § 3204. Medical consultation and judgment.

2 * * *

3 (c) Factors.--The following shall apply:

4 (1) In determining in accordance with subsection (a) or
5 (b) whether an abortion is necessary, a physician's best
6 clinical judgment may be exercised in the light of all
7 factors (physical, emotional, psychological, familial and the
8 woman's age) relevant to the well-being of the woman. [No
9 abortion which is sought solely because of the sex of the
10 unborn child shall be deemed a necessary abortion.]

11 (2) No abortion shall be deemed necessary if sought
12 exclusively for either or both of the following reasons:

13 (i) The sex of the unborn child.

14 (ii) A prenatal diagnosis of or belief that the
15 unborn child has Down syndrome.

16 * * *

17 Section 3. This act shall take effect in 60 days.