

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 21 Session of 2021

INTRODUCED BY MARTIN, J. WARD, K. WARD, PHILLIPS-HILL, STEFANO, ARNOLD, LANGERHOLC, YAW, DiSANTO, GORDNER, MENSCH, MASTRIANO, AUMENT, HUTCHINSON, REGAN AND PITTMAN, JANUARY 20, 2021

REFERRED TO HEALTH AND HUMAN SERVICES, JANUARY 20, 2021

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:

18 § 3204. Medical consultation and judgment.

1 * * *

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

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

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

12 (i) The sex of the unborn child.

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

15 * * *

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