

1 ~~petition or complaint for divorce in a court of competent jurisdiction;~~
2 ~~(3) The physician who is to perform the abortion or his or her authorized agent receives~~
3 ~~the written affirmation of the husband that he has been notified of the proposed abortion; or~~
4 ~~(4) There is an emergency requiring immediate action. In the case of an emergency, the~~
5 ~~woman's attending physician shall certify in writing on the patient's medical record that an~~
6 ~~emergency exists and the medical basis for his or her opinion.~~
7 **23-4.8-4. Penalties.**
8 ~~In the event a physician performs an abortion, as defined by chapter 4.7 of this title, upon~~
9 ~~a woman who he or she knows is married and the physician knowingly and intentionally violates~~
10 ~~the requirements of this chapter, he or she shall be guilty of "unprofessional conduct" for the~~
11 ~~purposes of § 5-37-5.1.~~
12 **23-4.8-5. Severability.**
13 ~~If any section or provision of this chapter or the application of any section or provision is~~
14 ~~held invalid, that invalidity shall not affect other sections, provisions or applications, and to this~~
15 ~~end the sections and provisions of this chapter are declared severable.~~
16 SECTION 2. This act shall take effect upon passage.

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY -- SPOUSAL NOTICE FOR ABORTION

- 1 This act would repeal the requirement that physicians performing abortions notify the
2 husband of a patient before an abortion may be performed.
3 This act would take effect upon passage.

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