

**CORRECTED**  
*SESSION OF 2014*

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 448**

As Recommended by Senate Committee on  
Federal and State Affairs

**Brief\***

SB 448 would amend different statutes pertaining to abortion, adding or revising certain definitions to make them consistent in different statutes, including provisions in current law on licensing abortion facilities, medical emergencies involving abortion, abortions for minors, and abortions at facilities owned by the Kansas Hospital Authority. The bill also would eliminate certain language, principally in a reference for the web link to the Kansas Department of Health and Environment's website.

Specifically, the bill would add a consistent definition of "bodily function" to one section of law, defining a bodily function to mean physical functions only and not to include mental or emotional functions. The bill also would modify the definition of "medical emergency" to make its use in various statutes consistent by removing references to the determination of gestational age and adding language referring to delays necessary to comply with applicable statutory requirements concerning abortion. Other language would be stricken with regard to a medical emergency, eliminating references to the best medical judgment of the attending physician and the determination of an emergency in order to conform with the new definition of "medical emergency." Another provision addressing the Kansas Hospital Authority's facilities would be modified regarding the meaning of the term "medical emergency" and the

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

performance of abortions under certain enumerated conditions.

The bill also would strike the words “objective, nonjudgmental, scientifically accurate” from language required by law to be posted, along with a web link to information from the Kansas Department of Health and Environment, on the websites of private offices, freestanding surgical outpatient clinics, or other facilities or clinics where abortions are performed.

Finally, the bill would remove inconsistent language in KSA 2013 Supp. 65-4a07 to conform with KSA 2013 Supp. 65-6701 concerning abortions performed when the gestational age of the unborn child is less than 22 weeks and where abortions may be performed.

The bill would be in effect upon publication in the *Kansas Register*.

## **Background**

The Senate Committee introduced SB 448 with most of the same provisions as in 2014 HB 2508, as amended by the House Committee on Federal and State Affairs. The principal change is making the bill effective upon publication in the *Kansas Register*.

At the hearing in the Senate Committee, a representative from Kansans for Life presented testimony in favor of the bill. A representative from Planned Parenthood of Kansas and Mid-Missouri presented neutral testimony. Written testimony opposing the bill was provided by a representative from the Trust Women Foundation.

A fiscal note for SB 448 indicated that the Kansas Department of Health and Environment was contacted regarding the fiscal effect and, when the Division of the Budget receives information, an updated fiscal note will be issued. No other fiscal impact was noted.