

HB 9 -- POLITICAL SUBDIVISIONS

SPONSOR: Kelly (141)

This bill states that the General Assembly acknowledges the right of an "alternatives to abortion" agency to operate freely and engage in speech without governmental interference and the right of a person not to be compelled by the government to participate in abortion contrary to his or her religious beliefs or moral convictions.

The bill specifies that a political subdivision may not enact an order that:

- (1) Prohibits, limits, interferes with, or otherwise adversely affects an "alternatives to abortion" agency's operations or speech. This shall not prevent a political subdivision from exercising its lawful authority to regulate zoning or land use or to enforce a building or fire code regulation, as long as that political subdivision treats an "alternatives to abortion" agency in the same manner as another similarly situated agency;
- (2) Requires a person to directly or indirectly participate in abortion if such participation is contrary to the religious beliefs or moral convictions of such person;
- (3) Requires any person to conduct real estate transactions for or with an abortion facility or for or with a person for the purpose of performing an abortion not necessary to save the life of the mother; or
- (4) Requires a person to provide coverage for or participate in a health plan that includes benefits that are not otherwise required by state law.

In any action to enforce these provisions, a court may order injunctive or other equitable relief, recovery of damages, legal remedies, and payment of reasonable attorney's fees, costs, and expenses. In addition to a private cause of action, the Attorney General is also authorized to bring a cause of action under these provisions.

Nothing in the bill prohibits a political subdivision from enforcing any order to assist pregnant women to carry their unborn child to term or assist women in caring for their children or placing their children for adoption.

This bill has an emergency clause.