

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1171

(Representatives Steiner, K. Anderson, Headland, Karls, Kasper, Lefor, Rohr, D. Ruby, Schatz,
VanWinkle)

(Senators Myrdal, Rummel)

AN ACT to create and enact a new section to chapter 12.1-17 of the North Dakota Century Code, relating to prohibiting a forced or coerced abortion; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 12.1-17 of the North Dakota Century Code is created and enacted as follows:

Forced or coerced abortion - Penalty.

1. As used in this section:
 - a. "Abortion" means the act of using or prescribing any instrument, medicine, drug, or any other substance, device, or means with the intent to terminate the clinically diagnosable intrauterine pregnancy of a woman, including the elimination of one or more unborn children in a multifetal pregnancy, with knowledge the termination will with reasonable likelihood cause the death of the unborn child. The use, prescription, or means is not an abortion if done with the intent to:
 - (1) Save the life or preserve the health of the unborn child;
 - (2) Remove a dead unborn child caused by spontaneous abortion; or
 - (3) Treat a woman for an ectopic pregnancy.
 - b. "Force or coerce" means committing, attempting to commit, or threatening to commit physical harm to a woman, the unborn child, or another individual intended to compel the woman to have an abortion performed against her will.
 - c. "Threat" means at least one statement, or a course of conduct by the individual, which places a woman in reasonable apprehension that the individual will follow through with the statement or act as implied by the individual's course of conduct. The term does not include constitutionally protected speech or any generalized statement regarding a lawful pregnancy option.
2. It is a class C felony to force or coerce a woman to have an abortion against her will.
3. Upon the request of the victim, a law enforcement agency investigating a violation of this section shall notify the victim not less than twenty-four hours before initially contacting the individual alleged to have committed a violation of this section.

Dennis Johnson
Speaker of the House

Tammie Hill
President of the Senate

Bull J. Reich
Chief Clerk of the House

Albana Morgan
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1171.

House Vote: Yeas 89 Nays 1 Absent 4

Senate Vote: Yeas 46 Nays 1 Absent 0

Bull J. Reich
Chief Clerk of the House

Received by the Governor at 3:00 PM. on April 7, 2023.

Approved at 1:00 PM. on April 11, 2023.

Doug Burgum
Governor

Filed in this office this 12th day of April, 2023,

at 12:03 o'clock P. M.

Michael Howe
Secretary of State