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HOUSE BILL NO. 2562

Offered January 13, 2025

Prefiled January 12, 2025

A BILL to amend and reenact § 18.2-71 of the Code of Virginia, relating to abortion; treatment of a nonviable pregnancy; emergency.

Patron—Taylor

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-71 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-71. Producing abortion or miscarriage, etc.; penalty.

Except as provided in other sections of this article, if any person administer to, or cause to be taken by a woman, any drug or other thing, or use means, with intent to destroy her unborn child, or to produce abortion or miscarriage, and thereby destroy such child, or produce such abortion or miscarriage, he shall be guilty of a Class 4 felony.

Nothing in this article shall be construed to apply to the treatment of a nonviable pregnancy when, pursuant to reasonable standards of care, failure to treat such nonviable pregnancy by terminating the pregnancy or attempting to terminate the pregnancy by performing an abortion or inducing a miscarriage is likely to result in the death of the woman or would substantially and irremediably impair the physical health of the woman.

For the purposes of this section, "nonviable pregnancy" means a pregnancy that cannot result in a live-born infant, including an ectopic pregnancy or failed intrauterine pregnancy.

2. That an emergency exists and this act is in force from its passage.

INTRODUCED

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