

1 AN ACT prohibiting the payment of public agency funds to any entity that
2 performs, induces, refers for, or counsels in favor of abortions.

3 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

4 →Section 1. KRS 311.715 is amended to read as follows:

5 (1) *As used in this section, "public agency funds" means any money, regardless of*
6 *the original source of the money, of a public agency.*

7 (2) Public agency funds shall not be used for the purpose of obtaining an abortion or
8 paying for the performance of an abortion. Public medical facilities may be used for
9 the purpose of conducting research into or the performance of in-vitro fertilization
10 as long as such procedures do not result in the intentional destruction of a human
11 embryo.

12 (3) *Public agency funds shall not be directly or indirectly used, granted, paid, or*
13 *distributed to any entity, organization, or individual that performs, induces, refers*
14 *for, or counsels in favor of abortions. This subsection shall not apply to funding*
15 *available through KRS 205.510 to 205.560 to the minimum extent necessary to*
16 *comply with federal conditions for the state's participation in the program*
17 *established by KRS 205.510 to 205.560 or to funding that is used to provide*
18 *abstinence education in schools.*

19 (4)~~(2)~~ (a) Public agency funds shall not be directly or indirectly used, granted,
20 paid, or distributed to any nonpublic entity or organization described in
21 paragraph (b)3. of this subsection. This paragraph shall not apply to funding
22 available through KRS 205.510 to 205.560 to the minimum extent necessary
23 to comply with federal conditions for the state's participation in the program
24 established by KRS 205.510 to 205.560 or to funding that is used to provide
25 abstinence education in schools.

26 (b) Notwithstanding any other state law to the contrary, all federal family
27 planning funds shall be awarded to eligible individuals, organizations, or

1 entities applying to be family planning contractors in the following order of
2 descending priority:

- 3 1. Public agencies that directly provide family planning services, including
4 state, county, and local community health clinics and federally qualified
5 health centers;
- 6 2. Nonpublic entities that directly provide basic health services, as
7 described in 42 U.S.C. sec. 254b(b)(1)(A), including family planning
8 services; and
- 9 3. Nonpublic entities that directly provide only family planning services
10 but do not provide all basic health services as described in 42 U.S.C.
11 sec. 254b(b)(1)(A).

12 (c) This subsection shall be effective upon repeal of federal regulations
13 prohibiting states from prioritizing recipients of federal Public Health Service
14 Act, Title X Family Planning Program funds.

15 ~~(5)(3)~~ Nothing in this section shall be deemed to deprive a woman of all appropriate
16 medical care necessary to prevent her physical death.

17 ~~(6)(4)~~ Nothing in this section shall be construed to allow public funds to pay for in-
18 vitro fertilization procedures performed on any individual patient.