

HOUSE No. 3322

The Commonwealth of Massachusetts

PRESENTED BY:

Sheila C. Harrington

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to unborn children.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Sheila C. Harrington

1st Middlesex

Colleen M. Garry

36th Middlesex

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By Mrs. Harrington of Groton, a petition (accompanied by bill, House, No. 3322) of Sheila C. Harrington and Colleen M. Garry relative to the use of anesthesia on a fetus prior to an abortion. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2288 OF 2017-2018.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to unborn children.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 112 of the General Laws, as appearing in the 2008 Official Edition, is hereby
2 amended by inserting after section 12M the following section:-

3 Section 12M½. For the purpose of preventing fetal pain, no physician shall perform an
4 abortion unless the physician anesthetizes the fetus; except in the following circumstances: (i) in
5 the reasonable clinical judgment of the physician, such administration of anesthesia to the fetus
6 would cause serious risk to the life of the mother; (ii) in the reasonable clinical judgment of the
7 physician, such administration of anesthesia to the fetus would cause serious risk of substantial
8 and irreversible impairment of a major bodily function of the mother; (iii) in the reasonable
9 clinical judgment of the physician, the pregnancy has not yet reached 20 weeks gestation; or (iv)
10 the mother directs that anesthesia not be administered to the fetus.