

**As Passed by the Senate**

**131st General Assembly**

**Regular Session**

**2015-2016**

**Am. S. B. No. 214**

**Senator Faber**

**Cosponsors: Senators Hite, Uecker, Seitz, Patton, Oelslager, Balderson, Lehner,  
Gardner, Hottinger, Peterson, Bacon, Eklund, Coley, Burke, Obhof, LaRose,  
Jordan, Beagle, Hughes, Jones, Widener**

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**A BILL**

To enact section 3701.034 of the Revised Code to 1  
require the Department of Health to ensure that 2  
state funds and certain federal funds are not 3  
used either to perform or promote nontherapeutic 4  
abortions, or to contract or affiliate with any 5  
entity that performs or promotes nontherapeutic 6  
abortions. 7

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 3701.034 of the Revised Code be 8  
enacted to read as follows: 9

**Sec. 3701.034.** (A) As used in this section: 10

(1) "Affiliate" means an entity that has with another 11  
entity a legal relationship created or governed by at least one 12  
written instrument that demonstrates any of the following: 13

(a) Common ownership, management, or control; 14

(b) A franchise agreement; 15

(c) The granting or extension of a license or other agreement that authorizes an entity to use the other entity's brand name, trademark, service mark, or other registered identification mark. 16  
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(2) "Violence Against Women Act" means section 1910A of section 40151 of the "Violent Crime Control and Law Enforcement Act of 1994," part A of Title XIX of the "Public Health and Human Services Act," 108 Stat. 1920 (1994), former 42 U.S.C. 300w, 42 U.S.C. 280b-1b, as amended. 20  
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(3) "Breast and Cervical Cancer Mortality Prevention Act" means the "Breast and Cervical Cancer Mortality Prevention Act of 1990," 104 Stat. 409 (1990), 42 U.S.C. 300k, as amended. 25  
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(4) "Infertility prevention project" means the infertility prevention project operated by the United States centers for disease control and prevention. 28  
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(5) "Minority HIV/AIDS initiative" means the minority HIV/AIDS initiative operated by the office of minority health in the United States department of health and human services. 31  
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(6) "Personal responsibility education program" means the program administered by the administration for children and families in the United States department of health and human services to educate adolescents on abstinence and contraception for the prevention of pregnancy and sexually transmitted infections. 34  
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(7) "Nontherapeutic abortion" has the same meaning as in section 9.04 of the Revised Code. 40  
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(8) "Promote" means to advocate for, assist with, encourage, or popularize through advertising or publicity. 42  
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(B) The department of health shall ensure that all funds it receives through the Violence Against Women Act to distribute as grants for the purpose of education and prevention of violence against women are not used to do any of the following: 44  
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(1) Perform nontherapeutic abortions; 48

(2) Promote nontherapeutic abortions; 49

(3) Contract with any entity that performs or promotes nontherapeutic abortions; 50  
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(4) Become or continue to be an affiliate of any entity that performs or promotes nontherapeutic abortions. 52  
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(C) The department shall ensure that all funds it receives through the Breast and Cervical Cancer Mortality Prevention Act for a program to provide breast and cervical cancer screening and diagnostic testing and all federal and state funds that it uses to operate such a program are not used to do any of the following: 54  
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(1) Perform nontherapeutic abortions; 60

(2) Promote nontherapeutic abortions; 61

(3) Contract with any entity that performs or promotes nontherapeutic abortions; 62  
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(4) Become or continue to be an affiliate of any entity that performs or promotes nontherapeutic abortions. 64  
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(D) The department shall ensure that all materials it receives through the infertility prevention project are not distributed to entities that do any of the following and shall ensure that all funds it uses for treatment associated with the infertility prevention project are not used to do any of the 66  
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<u>following:</u>	71
<u>(1) Perform nontherapeutic abortions;</u>	72
<u>(2) Promote nontherapeutic abortions;</u>	73
<u>(3) Contract with any entity that performs or promotes nontherapeutic abortions;</u>	74
<u>(4) Become or continue to be an affiliate of any entity that performs or promotes nontherapeutic abortions.</u>	75
<u>(E) The department shall ensure that all funds it receives through the minority HIV/AIDS initiative to distribute as grants and all other federal and state funds that are part of the grants distributed under this initiative are not used to do any of the following:</u>	76
<u>(1) Perform nontherapeutic abortions;</u>	77
<u>(2) Promote nontherapeutic abortions;</u>	78
<u>(3) Contract with any entity that performs or promotes nontherapeutic abortions;</u>	79
<u>(4) Become or continue to be an affiliate of any entity that performs or promotes nontherapeutic abortions.</u>	80
<u>(F) The department shall ensure that all state funds it receives, including funding for infant mortality reduction or infant vitality initiatives, are not used to do any of the following:</u>	81
<u>(1) Perform nontherapeutic abortions;</u>	82
<u>(2) Promote nontherapeutic abortions;</u>	83
<u>(3) Contract with any entity that performs or promotes nontherapeutic abortions;</u>	84
<u>(4) Become or continue to be an affiliate of any entity that performs or promotes nontherapeutic abortions.</u>	85
<u>(G) The department shall ensure that all state funds it receives, including funding for infant mortality reduction or infant vitality initiatives, are not used to do any of the following:</u>	86
<u>(1) Perform nontherapeutic abortions;</u>	87
<u>(2) Promote nontherapeutic abortions;</u>	88
<u>(3) Contract with any entity that performs or promotes nontherapeutic abortions;</u>	89

<u>(4) Become or continue to be an affiliate of any entity</u>	97
<u>that performs or promotes nontherapeutic abortions.</u>	98
<u>(G) The department shall ensure that all funds it receives</u>	99
<u>through an allotment to the state under the personal</u>	100
<u>responsibility education program and all other funds that are</u>	101
<u>part of grants distributed under this program are not used to do</u>	102
<u>any of the following:</u>	103
<u>(1) Perform nontherapeutic abortions;</u>	104
<u>(2) Promote nontherapeutic abortions;</u>	105
<u>(3) Contract with any entity that performs or promotes</u>	106
<u>nontherapeutic abortions;</u>	107
<u>(4) Become or continue to be an affiliate of any entity</u>	108
<u>that performs or promotes nontherapeutic abortions.</u>	109