

HOUSE BILL No. 2813

By Committee on Federal and State Affairs

Requested by Representative Schmoee

2-21

Proposed Amendments to  
House Bill No. 2813 #2  
Prepared by: Mike Heim  
Office of Revisor of Statutes

1 AN ACT concerning abortion; relating to unlawful coercion to obtain an  
2 abortion; creating the crime of coercion to obtain an abortion;  
3 providing the penalties therefor; providing for enhanced criminal  
4 penalties for offenses committed with the intent to compel a woman to  
5 obtain an abortion; amending K.S.A. 21-6804 and repealing the  
6 existing section.

7  
8 *Be it enacted by the Legislature of the State of Kansas:*

9 New Section 1. (a) Coercion to obtain an abortion is engaging in  
10 coercion with knowledge that a woman is pregnant and with the intent to  
11 compel such woman to obtain an abortion when such woman has  
12 expressed her desire to not obtain an abortion.

13 (b) Coercion to obtain an abortion, as defined in subsection (a), is:  
14 (1) A person felony, and the offender shall be sentenced to not less  
15 than 30 days nor more than one year's imprisonment and fined not less  
16 than \$500 nor more than \$5,000; or

17 (2) if committed by the father or the putative father who is 18 years  
18 of age or older at the time of the violation, of the unborn child of a  
19 pregnant woman and such pregnant woman is less than 18 years of age at  
20 the time of the violation, a person felony, and the offender shall be  
21 sentenced to not less than 90 days nor more than one year's imprisonment  
22 and fined not less than \$1,000 nor more than \$10,000.

23 (c) As used in this section:  
24 (1) "Abortion" means the same as defined in K.S.A. 65-6701, and  
25 amendments thereto;

26 (2) "coercion" means any of the following:

27 (A) Threatening to harm or physically restrain an individual or the  
28 creation or execution of any scheme, plan or pattern intended to cause an  
29 individual to believe that failure to perform an act would result in financial  
30 harm to, or physical restraint of, an individual;

31 (B) abusing or threatening abuse of the legal system, including threats  
32 of arrest or deportation without regard to whether the individual being  
33 threatened is subject to arrest or deportation under the laws of this state or  
34 the United States;

35 (C) knowingly destroying, concealing, removing, confiscating or

the offense is  
an intimate partner or former intimate partner  
and the victim