

ADOPTED

Senators Stone of the 23rd, Bulloch of the 11th and Millar of the 40th offered the following amendment:

1 *Amend the substitute to HB 954 by inserting in the title after "performance of abortions"; the*
 2 *following:*
 3 to change certain provisions relating to civil and professional penalties for violations of the
 4 "Woman's Right to Know Act";

5 *By deleting "and" at the end of paragraph (4) in Section 1 and adding a new paragraph (4.1)*
 6 *to read as follows:*
 7 (4.1) Probable gestational age is an estimate made to assume the closest time to which
 8 the fertilization of a human ovum occurred and does not purport to be an exact diagnosis
 9 of when such fertilization occurred; and

10 By adding after Section 3 a new section to read as follows:

11 **SECTION 3A.**

12 Said title is further amended by revising Code Section 31-9A-6.1, relating to civil and
 13 professional penalties for violations of the "Woman's Right to Know Act," as follows:
 14 "31-9A-6.1.

15 (a) In addition to whatever remedies are available under the common or statutory law of
 16 this state, failure to comply with the requirements of this chapter shall be reported to the
 17 Georgia Composite Medical Board for disciplinary action.

18 (b) Any plaintiff seeking relief in the form of civil remedies for a violation of Code
 19 Section 31-9B-4 shall produce clear and convincing evidence that the physician
 20 determining the probable gestational age of the fetus or the physician whose determination
 21 was relied upon was negligent in his or her determination.

22 (c) Any female who solicits or conspires to solicit an abortion who makes a false
 23 representation of her age or name shall not have standing to state a claim against any party
 24 pursuant to this chapter or Chapter 9B of this title nor shall any agency or instrumentality
 25 of the state consider any action related to such claim."