

**First Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 17-1133.01 Michael Dohr x4347

**SENATE BILL 17-284**

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**SENATE SPONSORSHIP**

**Marble and Lundberg**, Neville T.

**HOUSE SPONSORSHIP**

**Saine and Ransom**,

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**Senate Committees**

State, Veterans, & Military Affairs  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE CREATION OF THE "WOMEN'S REPRODUCTIVE**  
102                    **INFORMATION GUARANTEE FOR HEALTH AND TRANSPARENCY**  
103                    **(RIGHT) ACT", AND, IN CONNECTION THEREWITH, MAKING AN**  
104                    **APPROPRIATION.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill ensures that women are fully and accurately informed about their personal medical conditions regarding their pregnancies and health care options. Current medical procedures already use ultrasound

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

technology to provide information regarding the gestational age of a child in utero. The bill ensures that a woman has the opportunity to see or forego seeing her ultrasound. The bill gives the woman a choice between an abdominal or vaginal ultrasound. The bill allows a woman the opportunity to find a provider of ultrasound technology that will provide the service free of charge. The bill requires that a woman be given full and accurate information regarding her abortion. The bill describes the information that the physician performing the abortion provides to the woman, and gives the woman an opportunity to sign or refuse to sign a receipt of information. The bill requires the abortion provider to provide certain information to the woman at least 24 hours prior to performing an abortion.

The bill creates a civil right of action for noncompliance with the requirements, making a physician's noncompliance with the requirements unprofessional conduct and making a violation of the requirements a crime.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 4 to article  
3 6 of title 25 as follows:

4 **PART 4**

5 **INFORMED DECISION-MAKING**

6 **25-6-401. Short title.** THE SHORT TITLE OF THIS PART 4 IS THE  
7 "WOMEN'S REPRODUCTIVE INFORMATION GUARANTEE FOR HEALTH AND  
8 TRANSPARENCY (RIGHT) ACT".

9 **25-6-402. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
10 FINDS THAT:

11 (a) CURRENT MEDICAL PROCEDURES INVOLVING SURGERY OR  
12 WOMEN'S PREGNANCIES REQUIRE THE USE OF AN ULTRASOUND OR OTHER  
13 ENDOSCOPIC PROCEDURE TO ENSURE ACCURATE PROGNOSIS;

14 (b) ULTRASOUND TECHNOLOGY IS GENERALLY ACCEPTED IN THE  
15 MEDICAL COMMUNITY AS AN EFFICIENT AND ACCURATE MEANS OF  
16 EXAMINING THE HEALTH OF BOTH INTERNAL ORGANS AND UNBORN

1 CHILDREN;

2 (c) ULTRASOUND TECHNOLOGY IS ALREADY REGULARLY USED BY  
3 ABORTION CLINICS, BY THEIR OWN ADMISSION, TO DETERMINE THE AGE OF  
4 THE UNBORN CHILD, TO DATE THE PREGNANCY, AND TO DETERMINE THEIR  
5 FEE SCALE PRIOR TO AN ABORTION BEING PERFORMED. ANY PROVIDER  
6 WHO DOES NOT PERFORM AN ULTRASOUND PRIOR TO AN ABORTION IS  
7 PUTTING THE HEALTH AND POTENTIALLY THE LIFE OF THE WOMAN IN  
8 DANGER.

9 (d) THOUSANDS OF ABORTIONS ARE PERFORMED EACH YEAR IN  
10 COLORADO. AN UNDISCLOSED NUMBER OF THESE ARE PERFORMED  
11 WITHOUT FULL DISCLOSURE TO PREGNANT WOMEN REGARDING THE  
12 ACCURATE INFORMATION PROVIDED BY ULTRASOUND TECHNOLOGY.

13 (e) ECTOPIC PREGNANCIES THAT ARE UNDETECTED DURING  
14 ABORTION PRESENT A DANGER TO THE LIFE OF THE MOTHER;

15 (f) EVERY YEAR, THOUSANDS OF UNBORN CHILDREN ARE ABORTED  
16 WHILE THE MOTHER IS DENIED THE OPPORTUNITY TO SEE THE UNBORN  
17 CHILD FOR HERSELF;

18 (g) LACK OF TRANSPARENCY ON THE PART OF ABORTION  
19 PROVIDERS CREATES UNAWARENESS ON BEHALF OF THE EXPECTANT  
20 MOTHER REGARDING THE GESTATIONAL AGE AND DEVELOPMENT OF HER  
21 UNBORN CHILD;

22 (h) UNAWARENESS OF FETAL DEVELOPMENT, LACK OF ACCURATE  
23 INFORMATION REGARDING THE CARE FOR AND FUTURE OF CHILDREN WITH  
24 DISABILITIES IN A MODERN MEDICAL WORLD, AND LACK OF EDUCATION ON  
25 THE SUPPORT AND RESOURCES AVAILABLE DURING AND AFTER PREGNANCY  
26 ARE CONTRIBUTING FACTORS TO THE NUMBER OF ABORTIONS PERFORMED  
27 IN COLORADO FOR REASONS OF THE CHILD'S MINOR PHYSICAL DISABILITY

1 OR THE INCONVENIENCE OF AN "UNPLANNED" PREGNANCY; AND

2 (i) WOMEN WHO ARE GIVEN THE OPTION TO VIEW ULTRASOUND  
3 PICTURES AND LISTEN TO THEIR CHILD'S HEARTBEAT CAN MAKE AN  
4 INFORMED, EDUCATED HEALTH CARE DECISION BASED ON SCIENTIFIC  
5 INFORMATION MADE AVAILABLE THROUGH ULTRASOUND TECHNOLOGY.

6 (2) BASED ON THE FINDINGS IN SUBSECTION (1) OF THIS SECTION,  
7 THE GENERAL ASSEMBLY DECLARES IT IS THE PURPOSE OF THIS PART 4 TO:

8 (a) ENSURE THAT EACH WOMAN CONSIDERING AN ABORTION HAS  
9 THE OPPORTUNITY TO RECEIVE COMPLETE INFORMATION ON THE REALITY  
10 AND STATUS OF HER PREGNANCY AND OF HER UNBORN CHILD AND THAT  
11 EACH WOMAN SUBMITTING TO AN ABORTION DO SO ONLY AFTER SHE HAS  
12 BEEN GIVEN THIS INFORMATION;

13 (b) PROTECT THE UNBORN CHILD FROM A WOMAN'S UNINFORMED  
14 DECISION TO HAVE AN ABORTION;

15 (c) REDUCE "THE RISK THAT A WOMAN MAY ELECT AN ABORTION,  
16 ONLY TO DISCOVER LATER, WITH DEVASTATING PSYCHOLOGICAL  
17 CONSEQUENCES, THAT HER DECISION WAS NOT FULLY INFORMED", AS  
18 STATED BY THE UNITED STATES SUPREME COURT IN *PLANNED*  
19 *PARENTHOOD v. CASEY*, 505 U.S. 833, 882 (1992); AND

20 (d) ADOPT THE CONSTRUCTION OF THE TERM "MEDICAL  
21 EMERGENCY" ACCEPTED BY THE UNITED STATES SUPREME COURT IN  
22 *PLANNED PARENTHOOD v. CASEY*, 505 U.S. 833 (1992).

23 **25-6-403. Definitions.** AS USED IN THIS PART 4, UNLESS THE  
24 CONTEXT OTHERWISE REQUIRES:

25 (1) "ABORTION" MEANS THE ACT OF USING OR PRESCRIBING ANY  
26 INSTRUMENT, MEDICINE, DRUG, OR ANY OTHER SUBSTANCE, DEVICE, OR  
27 MEANS WITH THE INTENT TO TERMINATE THE PREGNANCY OF A WOMAN

1 WITH KNOWLEDGE OR REASON TO BELIEVE THAT THE TERMINATION BY  
2 THOSE MEANS WILL CAUSE THE DEATH OF THE UNBORN CHILD. SUCH USE,  
3 PRESCRIPTION, OR MEANS IS NOT AN ABORTION IF DONE WITH THE INTENT  
4 TO:

5 (a) SAVE THE LIFE OR PRESERVE THE HEALTH OF AN UNBORN  
6 CHILD;

7 (b) REMOVE A DEAD UNBORN CHILD WHO DID NOT DIE AS A RESULT  
8 OF AN INTENTIONAL, KNOWING, OR RECKLESS ACTION TO TERMINATE A  
9 PREGNANCY; OR

10 (c) REMOVE AN ECTOPIC PREGNANCY.

11 (2) "ABORTION PROVIDER" MEANS:

12 (a) A PHYSICIAN PERFORMING OR INDUCING AN ABORTION; OR

13 (b) A PERSON WHO IS EMPLOYED AT OR BY THE FACILITY WHERE  
14 THE ABORTION IS TO BE PERFORMED OR INDUCED AND WHO WILL  
15 PHYSICALLY ASSIST IN THE PROCEDURE; OR

16 (c) A PERSON EMPLOYED AT THE FACILITY WHO IS DESIGNATED FOR  
17 ADMINISTRATIVE DUTIES DIRECTLY CONCERNING THE PATIENT.

18 (3) "FETAL SAC" MEANS THE STRUCTURE SURROUNDING THE FETUS  
19 THAT CAN BE USED TO DETERMINE IF AN INTRAUTERINE PREGNANCY  
20 EXISTS.

21 (4) "MEDICAL EMERGENCY" MEANS A CONDITION THAT SO  
22 COMPLICATES THE MEDICAL CONDITION OF A PREGNANT WOMAN AS TO  
23 NECESSITATE THE IMMEDIATE TERMINATION OF HER PREGNANCY TO AVERT  
24 HER DEATH OR FOR WHICH A DELAY WILL CREATE SERIOUS RISK OF  
25 SUBSTANTIAL AND IRREVERSIBLE IMPAIRMENT OF A MAJOR BODILY  
26 FUNCTION.

27 (5) "VIABLE PREGNANCY" MEANS A PREGNANCY IN WHICH A FETAL

1 SAC IS LOCATED INSIDE THE UTERUS AND A FETAL HEARTBEAT IS  
2 DETECTABLE WITHIN THE FETAL SAC.

3 **25-6-404. Receipt of information.** (1) THE ATTORNEY GENERAL  
4 SHALL ESTABLISH POLICIES AND PROCEDURES FOR THE COLLECTION AND  
5 REVIEW OF ALL INFORMATION RECEIPTS.

6 (2) THE ATTORNEY GENERAL SHALL ALSO ESTABLISH POLICIES AND  
7 PROCEDURES FOR CONDUCTING INSPECTIONS AND INVESTIGATIONS  
8 PURSUANT TO COMPLAINTS RECEIVED BY THE ATTORNEY GENERAL AND  
9 MADE AGAINST ANY ABORTION CLINIC.

10 (3) THE ATTORNEY GENERAL SHALL RECEIVE, RECORD, AND TAKE  
11 ACTION ON COMPLAINTS IN ACCORDANCE WITH ESTABLISHED POLICIES  
12 AND PROCEDURES.

13 (4) EXCEPT IN THE CASE OF A MEDICAL EMERGENCY, AN ABORTION  
14 SHALL NOT BE PERFORMED OR INDUCED WITHOUT A SIGNED RECEIPT OF  
15 INFORMATION. A SIGNED RECEIPT OF INFORMATION IS A FORM SIGNED BY  
16 THE WOMAN UPON WHOM THE ABORTION IS PERFORMED OR INDUCED,  
17 ACKNOWLEDGING THAT, AT LEAST TWENTY-FOUR HOURS BEFORE THE  
18 ABORTION PROCEDURE OR INDUCTION BEGAN, THE PHYSICIAN WHO IS TO  
19 PERFORM THE ABORTION HAS INFORMED THE WOMAN, ORALLY AND IN  
20 WRITING, OF THE FOLLOWING:

21 (a) THE NAME OF THE PHYSICIAN WHO WILL PERFORM THE  
22 ABORTION AND ANY CURRENT DISCIPLINARY ACTION BEING TAKEN OR  
23 CONSIDERED AGAINST THE PHYSICIAN BY MEDICAL BOARDS, BOARDS OF  
24 HEALTH, OR THE STATE DEPARTMENT OF HEALTH;

25 (b) A THOROUGH AND ACCURATE DESCRIPTION OF THE PROPOSED  
26 METHOD FOR PERFORMING THE ABORTION, INCLUDING INFORMATION ON  
27 THE PROBABLE GESTATIONAL AGE OF THE UNBORN CHILD AT THE TIME THE

1 ABORTION IS TO BE PERFORMED AND THE PROBABLE ANATOMICAL AND  
2 PHYSIOLOGICAL CHARACTERISTICS OF AN UNBORN CHILD AT THAT AGE;

3 (c) A DESCRIPTION OF IMMEDIATE AND LONG-TERM PHYSICAL AND  
4 PSYCHOLOGICAL RISKS INVOLVED IN THE ABORTION PROCEDURE,  
5 INCLUDING BUT NOT LIMITED TO THE RISKS OF INFECTION, HEMORRHAGE,  
6 CERVICAL OR UTERINE PERFORATION, AND INFERTILITY, AND RISKS TO  
7 SUBSEQUENT PREGNANCIES;

8 (d) THE AVAILABILITY OF POTENTIAL ABORTION REVERSAL AFTER  
9 LAMINARIA INSERTION OR AFTER THE FIRST PILL IN A MEDICAL ABORTION  
10 IS TAKEN IF THE WOMAN CHANGES HER MIND ABOUT ABORTION. IF THE  
11 ABORTION PROVIDER IS UNWILLING TO PROVIDE AN ABORTION REVERSAL  
12 AT THE WOMAN'S REQUEST, THE PROVIDER MUST INFORM THE WOMAN OF  
13 OTHER PHYSICIANS OR PROVIDERS WHO MAY BE WILLING TO DO SO.

14 (e) A DESCRIPTION OF ALTERNATIVES TO ABORTION, INCLUDING  
15 THE AVAILABILITY OF ADOPTION ALTERNATIVES AND THE AVAILABILITY  
16 OF FINANCIAL HELP FROM ADOPTIVE PARENTS AND OTHER SOURCES FOR  
17 PRENATAL CARE, CHILD BIRTH, AND NEONATAL CARE EXPENSES;

18 (f) A DESCRIPTION OF MEDICAL ASSISTANCE BENEFITS THAT MAY  
19 BE AVAILABLE FOR PRENATAL CARE, CHILDBIRTH, AND NEONATAL CARE,  
20 TOGETHER WITH THE NAMES AND CONTACT INFORMATION FOR  
21 INDIVIDUALS AND ORGANIZATIONS THAT MAY BE WILLING TO ASSIST WITH  
22 THE COSTS INVOLVED IN CARRYING THE PREGNANCY TO TERM, AND  
23 INFORMATION ON THE LIABILITY OF THE FATHER FOR CHILD SUPPORT AND  
24 OTHER EXPENSES; AND

25 (g) ANY OTHER MEDICAL OR OTHER INFORMATION THAT A  
26 REASONABLE PATIENT WOULD CONSIDER MATERIAL TO THE DECISION OF  
27 WHETHER OR NOT TO HAVE AN ABORTION.

1           (5) EVERY WOMAN HAS THE RIGHT TO REFUSE TO SIGN THE  
2 RECEIPT OF INFORMATION IF SHE DOES NOT BELIEVE SHE HAS BEEN FULLY  
3 AND ACCURATELY INFORMED IN ACCORDANCE WITH THIS SECTION.

4           (6) EVERY WOMAN HAS THE RIGHT TO SIGN A DECLINE OF  
5 INFORMATION FORM, ACKNOWLEDGING THAT SHE WAS OFFERED FULL  
6 DISCLOSURE REGARDING HER PREGNANCY AND DECLINES TO REVIEW THE  
7 INFORMATION PROVIDED.

8           (7) AT LEAST TWENTY-FOUR HOURS PRIOR TO THE ABORTION, THE  
9 ABORTION PROVIDER SHALL PROVIDE THE WOMAN, IN WRITING AND  
10 ORALLY:

11           (a) (I) THE OPPORTUNITY TO RECEIVE A PICTURE OF A CURRENT  
12 ULTRASOUND OF THE UNBORN CHILD PORTRAYING THE ENTIRE BODY OF  
13 THE UNBORN CHILD, WHICH CAN BE OBTAINED THROUGH THE USE OF A  
14 VAGINAL OR ABDOMINAL ULTRASOUND, BASED ON THE WOMAN'S CHOICE,  
15 AFTER THE ABORTION PROVIDER EXPLAINS THE ULTRASOUND QUALITY  
16 DIFFERENCES IN THE TWO METHODS AT THE WOMAN'S CURRENT STATE OF  
17 PREGNANCY. THE OPPORTUNITY SHALL INCLUDE:

18           (A) AN ORAL DESCRIPTION OF ALL RELEVANT FEATURES OF THE  
19 ULTRASOUND, WITH AUDIBLE HEARTBEAT IF PRESENT;

20           (B) UPON REQUEST AND WITHOUT ADDITIONAL CHARGE, A  
21 PHOTOGRAPH OR PRINT OF THE ULTRASOUND, OF MODERN QUALITY  
22 CONSISTENT WITH THE CURRENT STANDARD MEDICAL PRACTICE;

23           (C) A WRITTEN AND ORAL DESCRIPTION STATING WHETHER OR NOT  
24 THE WOMAN HAS A VIABLE PREGNANCY, THE LOCATION OF THE FETAL SAC,  
25 AND THE PRESENCE OR ABSENCE OF A HEARTBEAT; AND

26           (D) IN ORDER TO PROVIDE THE POSSIBILITY OF A SECOND OPINION,  
27 A LIST OF ALL KNOWN ULTRASOUND PROVIDERS WITHIN A TEN-MILE



1 RADIUS OF THE ABORTION PROVIDER, OR, IF THERE ARE NO SUCH  
2 ULTRASOUND PROVIDERS WITHIN A TEN-MILE RADIUS OF THE ABORTION  
3 PROVIDER, A LIST OF ALL KNOWN ULTRASOUND PROVIDERS WITHIN A  
4 FIFTY-MILE RADIUS OF THE ABORTION PROVIDER, WITH PARTICULAR  
5 MENTION OF THOSE WHO PERFORM ULTRASOUNDS AT NO COST TO THE  
6 WOMAN.

7 (II) IF THE ABORTION PROVIDER REFUSES TO COMPLY WITH THIS  
8 SUBSECTION (7)(a), THE ABORTION PROVIDER SHALL GIVE THE WOMAN A  
9 LIST OF PROVIDERS WHO WILL PROVIDE A FREE ULTRASOUND AND COMPLY  
10 WITH THE PROVISIONS OF THIS SUBSECTION (7)(a) AT LEAST TWENTY-FOUR  
11 HOURS BEFORE THE ABORTION IS PERFORMED AND SHALL POST A PUBLIC  
12 NOTICE STATING THAT THE FACILITY DOES NOT PROVIDE ULTRASOUNDS  
13 AND IS NOT A MEDICAL FACILITY.

14 (b) THE PROBABLE GESTATIONAL AGE OF THE UNBORN CHILD,  
15 INCLUDING A FETAL DEVELOPMENT CHART WITH COLOR PHOTOGRAPHS  
16 SPECIFYING WITHIN A FOUR-WEEK INCREMENT THE AGE OF THE UNBORN  
17 CHILD AND SHOWING EACH SUCCEEDING FOUR-WEEK INCREMENT DURING  
18 THE PREGNANCY;

19 (c) A DESCRIPTION OF THE DEVELOPMENT OF THE CHILD'S NERVE  
20 ENDINGS, WHICH BEGIN TO DEVELOP AT SEVEN WEEKS GESTATION, AND  
21 THE CHILD'S ABILITY TO FEEL PAIN, INCLUDING THE STEADILY INCREASING  
22 BODY OF MEDICAL EVIDENCE AND LITERATURE SUPPORTING THE  
23 CONCLUSION THAT AN UNBORN CHILD MAY FEEL PAIN FROM AROUND  
24 ELEVEN WEEKS TO THIRTEEN WEEKS, OR EVEN AS EARLY AS FIVE AND  
25 ONE-HALF WEEKS;

26 (d) A STATEMENT THAT THE WOMAN IS FREE TO WITHHOLD OR  
27 WITHDRAW HER CONSENT TO THE ABORTION AT ANY TIME WITHOUT

1 AFFECTING HER RIGHT TO CARE OR TREATMENT IN THE FUTURE AND  
2 WITHOUT THE LOSS OF ANY STATE OR FEDERAL BENEFITS TO WHICH SHE  
3 MIGHT OTHERWISE BE ENTITLED; AND

4 (e) ANY OTHER MEDICAL OR OTHER INFORMATION THAT A  
5 REASONABLE PATIENT WOULD CONSIDER MATERIAL TO THE DECISION OF  
6 WHETHER OR NOT TO HAVE AN ABORTION.

7 (8) (a) THE ABORTION PROVIDER SHALL PROVIDE THE  
8 INFORMATION REQUIRED IN THIS SECTION INDIVIDUALLY IN A PRIVATE  
9 ROOM AND PROVIDE THE WOMAN WITH AN ADEQUATE OPPORTUNITY TO  
10 ASK QUESTIONS AND RECEIVE ANSWERS SHE CAN UNDERSTAND.

11 (b) IF THE WOMAN IS UNABLE TO READ THE WRITTEN MATERIALS  
12 REQUIRED TO BE PROVIDED TO HER UNDER THE PROVISIONS OF THIS  
13 SECTION, THE ABORTION PROVIDER SHALL READ THE MATERIALS TO HER  
14 AND, IF NECESSARY, SHALL EXPLAIN THE MATERIALS IN A WAY THAT IS  
15 UNDERSTANDABLE TO HER.

16 (c) AFTER THE ABORTION PROVIDER HAS COMPLIED WITH EACH OF  
17 THE REQUIREMENTS OF THIS SECTION, THE WOMAN SHALL SIGN SEPARATE  
18 STATEMENTS ATTESTING TO THE COMPLETION OF THE REQUIREMENTS. THE  
19 ABORTION PROVIDER SHALL, UNDER OATH AND UNDER PENALTY OF  
20 PERJURY, SIGN SEPARATE STATEMENTS THAT HE OR SHE HAS COMPLIED  
21 WITH EACH OF THE REQUIREMENTS OF THIS SECTION.

22 (d) AN ABORTION PROVIDER SHALL NOT ACCEPT PAYMENT OR  
23 LEGALLY OR OTHERWISE BIND A WOMAN TO MAKE PAYMENT FOR THE  
24 PERFORMANCE OR INDUCING OF AN ABORTION PRIOR TO THE EXPIRATION  
25 OF TWENTY-FOUR HOURS FROM THE ABORTION PROVIDER'S FULFILLMENT  
26 OF ALL OF THE PROVISIONS OF THIS SECTION.

27 (9) A PERSON WHO RECKLESSLY VIOLATES ANY PROVISION OF THIS

1 SECTION, OR WHO PERFORMS AN ABORTION WITH REASON TO BELIEVE  
2 THAT SUCH AN ABORTION IS A VIOLATION OF THIS SECTION, COMMITS AN  
3 UNCLASSIFIED MISDEMEANOR AND SHALL BE FINED NOT MORE THAN ONE  
4 THOUSAND DOLLARS FOR EACH VIOLATION.

5 (10) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PREVENT  
6 THE PREGNANT WOMAN FROM NOT LISTENING TO THE SOUNDS DETECTED  
7 BY THE FETAL HEART MONITOR OR FROM NOT VIEWING THE IMAGES  
8 DISPLAYED ON THE ULTRASOUND SCREEN.

9 **25-6-405. Civil cause of action.** A PERSON WHO SUFFERS A LOSS  
10 OR INJURY AS A RESULT OF A VIOLATION OF THIS PART 4 BY AN ABORTION  
11 PROVIDER MAY BRING A CAUSE OF ACTION AGAINST THE ABORTION  
12 PROVIDER AND THE FACILITY WHERE THE ABORTION WAS PERFORMED, FOR  
13 DAMAGES, PUNITIVE DAMAGES, TREBLE DAMAGES, AND SUCH EQUITABLE  
14 REMEDIES AS THE COURT MAY DEEM APPROPRIATE.

15 **25-6-406. Civil penalties and fines.** (1) AN ABORTION CLINIC IS  
16 SUBJECT TO CIVIL PENALTIES IF AN INSPECTION BY THE ATTORNEY  
17 GENERAL FINDS THAT THE ABORTION CLINIC:

18 (a) FAILS TO OFFER THE INFORMATION REQUIRED IN THE RECEIPT  
19 OF INFORMATION IN SECTION 25-6-404; OR

20 (b) VIOLATES ANY PROVISION OF LAW.

21 (2) THE ATTORNEY GENERAL MAY IMPOSE FOR EACH VIOLATION:

22 (a) A FINE OF UP TO ONE THOUSAND DOLLARS; OR

23 (b) SUSPENSION OR CLOSURE OF THE FACILITY WHERE THE  
24 VIOLATION WAS FOUND FOR EACH VIOLATION.

25 **25-6-407. Preemption and severability.** (1) THIS PART 4 SHALL  
26 NOT BE CONSTRUED TO PREEMPT OR SUPERSEDE ANY PROVISION OF LAW  
27 OR ANY PROVISION OF LAW THAT IS MORE RESTRICTIVE THAN THE

1 PROVISIONS OF THIS PART 4; CREATE OR RECOGNIZE ANY RIGHT TO AN  
2 ABORTION; OR SANCTION, APPROVE OF, OR EXPAND IN ANY WAY THE  
3 LEGALITY OF ABORTION.

4 (2) THE PROVISIONS OF THIS PART 4 ARE SEVERABLE. IF ANY  
5 PROVISION OF THIS PART 4, OR WORD, PHRASE, OR APPLICATION THEREOF,  
6 IS FOUND TO BE INVALID, THAT INVALIDITY SHALL NOT AFFECT THE  
7 VALIDITY OF THE PROVISIONS OR APPLICATIONS NOT FOUND TO BE INVALID  
8 IN THIS PART 4.

9 **SECTION 2.** In Colorado Revised Statutes, 12-36-117, **amend**  
10 (1) introductory portion; and **add** (1)(nn) as follows:

11 **12-36-117. Unprofessional conduct.** (1) "Unprofessional  
12 conduct" as used in this ~~article~~ ARTICLE 36 means:

13 (nn) A VIOLATION OF PART 4 OF ARTICLE 6 OF TITLE 25.

14 **SECTION 3. Appropriation.** (1) For the 2017-18 state fiscal  
15 year, \$58,243 is appropriated to the department of law for use by the  
16 administration division. This appropriation is from the general fund. To  
17 implement this act, the department may use this appropriation as follows:

18 (a) \$52,590 for personal services, which amount is based on an  
19 assumption that the department will require an additional 0.9 FTE; and

20 (b) \$5,653 for operating expenses.

21 **SECTION 4. Effective date - applicability.** This act takes effect  
22 upon passage and applies to offenses or actions committed on or after  
23 said date.

24 **SECTION 5. Safety clause.** The general assembly hereby finds,  
25 determines, and declares that this act is necessary for the immediate  
26 preservation of the public peace, health, and safety.