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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. **2340**

02/16/2012 Authored by Holberg, Zellers, Fritz, Gottwalt, Dean and others

The bill was read for the first time and referred to the Committee on Health and Human Services Reform

03/15/2012 Adoption of Report: Pass and re-referred to the Committee on Government Operations and Elections

03/22/2012 Adoption of Report: Pass as Amended and re-referred to the Committee on Health and Human Services Finance

1.1 A bill for an act
1.2 relating to health; requiring licensure of certain facilities that perform abortions;
1.3 proposing coding for new law in Minnesota Statutes, chapter 145.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **[145.479] LICENSURE OF CERTAIN FACILITIES THAT PERFORM**
1.6 **ABORTIONS.**

1.7 **Subdivision 1. License required for facilities that perform ten or more abortions**
1.8 **per month. A clinic, health center, or other facility in which the pregnancies of ten or**
1.9 **more women known to be pregnant are willfully terminated or aborted each month,**
1.10 **including nonsurgical abortions, shall be licensed by the commissioner of health. The**
1.11 **commissioner of health shall adopt rules necessary for licensure under this section.**

1.12 **Subd. 2. Inspections. The commissioner of health shall perform inspections and**
1.13 **investigations as deemed necessary.**

1.14 **Subd. 3. No notice required for inspection. Every clinic, health center, or other**
1.15 **facility licensed under this section, and any other premise proposed to be conducted as a**
1.16 **facility by an applicant for a license, shall be open at all reasonable times to inspection**
1.17 **authorized in writing by the commissioner of health. No notice need be given to any**
1.18 **person prior to any inspection.**

1.19 **Subd. 4. Severability. If any one or more provision, section, subdivision, sentence,**
1.20 **clause, phrase, or word of this section or the application of it to any person or circumstance**
1.21 **is found to be unconstitutional, it is declared to be severable and the balance of this section**
1.22 **shall remain effective notwithstanding such unconstitutionality. The legislature intends**
1.23 **that it would have passed this section, and each provision, section, subdivision, sentence,**

- 2.1 clause, phrase, or word, regardless of the fact that any one provision, section, subdivision,
- 2.2 sentence, clause, phrase, or word is declared unconstitutional.