

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 503**

Introduced by Hunt, 8; Cavanaugh, 6; Howard, 9; Morfeld, 46.

Read first time January 22, 2019

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to abortion; to amend section 28-335, Reissue
- 2 Revised Statutes of Nebraska; to eliminate provisions relating to
- 3 physicians' physical presence; and to repeal the original section.
- 4 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 28-335, Reissue Revised Statutes of Nebraska, is  
2 amended to read:

3           28-335 ~~(1)~~—The performing of an abortion by any person other than a  
4 licensed physician is a Class IV felony.

5           ~~(2) No abortion shall be performed, induced, or attempted unless the~~  
6 ~~physician who uses or prescribes any instrument, device, medicine, drug,~~  
7 ~~or other substance to perform, induce, or attempt the abortion is~~  
8 ~~physically present in the same room with the patient when the physician~~  
9 ~~performs, induces, or attempts to perform or induce the abortion. Any~~  
10 ~~person who knowingly or recklessly violates this subsection shall be~~  
11 ~~guilty of a Class IV felony. No civil or criminal penalty shall be~~  
12 assessed against the patient upon whom the abortion is performed,  
13 induced, or attempted to be performed or induced.

14           Sec. 2. Original section 28-335, Reissue Revised Statutes of  
15 Nebraska, is repealed.