

	Statute	Title	History	Text	Ref. in
1	21-5419	Application of certain crimes to an unborn child.	L. 2010, ch. 136, § 54; July 1, 2011. (Prior law 21-3452: L. 2007, ch. 169, § 4; Repealed, L. 2010, ch. 136, § 307; July 1, 2011.)	<p>a) As used in this section:</p> <p>(1) "Abortion" means an abortion as defined by K.S.A. 65-6701, and amendments thereto; and</p> <p>(2) "unborn child" means a living individual organism of the species homo sapiens, in utero, at any stage of gestation from fertilization to birth.</p> <p>(b) This section shall not apply to:</p> <p>(1) Any act committed by the mother of the unborn child;</p> <p>(2) any medical procedure, including abortion, performed by a physician or other licensed medical professional at the request of the pregnant woman or her legal guardian; or</p> <p>(3) the lawful dispensation or administration of lawfully prescribed medication.</p> <p>(c) As used in K.S.A. 2019 Supp. 21-5401, 21-5402, 21-5403, 21-5404, 21-5405, 21-5406 and subsections (a) and (b) of 21-5413, and amendments thereto, "person" and "human being" also mean an unborn child.</p> <p>(d) This section shall be known as Alexa's law.</p>	
2	38-1808	Family and children investment fund; family and children trust account, permanent families account, and family and children endowment account; authorized expenditures; receipts; interest.	L. 1992, ch. 313, § 8; L. 1993, ch. 243, § 2; L. 1996, ch. 253, § 6; L. 1997, ch. 156, § 81; L. 1999, ch. 172, § 7; L. 2000, ch. 159, § 7; L. 2014, ch. 115, § 53; July 1. (Section was amended twice in 1999 session – see also 38-1808a)	<p>(a) There is hereby established in the state treasury the family and children investment fund. The family and children investment fund shall be administered as provided in this section.</p> <p>(b) There shall be credited to the family and children investment fund appropriations, gifts, grants, contributions, matching funds and participant payments.</p> <p>(c) (1) There is hereby created the family and children trust account in the family and children investment fund. The secretary for children and families shall administer the family and children trust account.</p> <p>(2) Moneys credited to the family and children trust account shall be used for the following purposes: (A) Matching federal moneys to purchase services relating to community-based programs for the broad range of child abuse and neglect prevention activities; (B) providing start-up or expansion grants for community-based prevention projects for the broad range of child abuse and neglect prevention activities; (C) studying and evaluating community-based prevention projects for the broad range of child abuse and neglect prevention activities; (D) preparing, publishing, purchasing and disseminating educational material dealing with the broad range of child abuse and neglect prevention activities; and (E) payment of the administrative costs of the family and children trust account and of that portion of the Kansas children's cabinet, established pursuant to K.S.A. 38-1901, and amendments thereto, which are attributable to the family and children trust account, and that portion of the administrative costs of the board of trustees, of the Kansas public employees retirement system established by K.S.A. 74-4905, and amendments thereto, which are attributable to the family and children endowment account of the family and children investment fund. No moneys in the family and children trust account shall be used for the purpose of providing services for the voluntary termination of pregnancy. (full text: https://www.ksrevisor.org/statutes/chapters/ch38/038_018_0008.html)</p>	8-1,148, 23-2510, 38-1901, 38-2104, 65-2418
3	38-2003	Same; abortion exclusion; "health benefits coverage" defined.	L. 1998, ch. 125, § 3; Apr. 30.	<p>(a) (1) None of the funds appropriated to implement this act shall be expended for any abortion.</p> <p>(2) None of the funds appropriated to implement this act shall be expended for health benefits coverage that includes coverage of abortion.</p> <p>(3) The term "health benefits coverage" means the package of services covered by entities in subsection (c) of K.S.A. 38-2001, and amendments thereto, authorized to transact health insurance business in this state pursuant to a contract or other arrangement entered into under sections of this act.</p> <p>(b) The limitations established in subsection (a) shall not apply to an abortion:</p> <p>(1) If the pregnancy is the result of an act of rape, aggravated indecent liberties with a child or incest; or</p> <p>(2) if necessary to save the life of the pregnant woman.</p>	

4	38-2403	Establishment of host family programs.	L. 2016, ch. 102, § 3; July 1.	(a) A child placement agency, or other Kansas charitable organization working under an agreement with a child placement agency, may establish a program in which it coordinates with private organizations to provide temporary care of children by placing a child with a host family. ... (d) (1) A parent may place a child into a program established pursuant to subsection (a) by executing a power of attorney delegating to a host family any of the powers regarding the care and custody of the child, except the power to consent to marriage or adoption of the child, the performance or inducement of an abortion on or for the child, or the termination of parental rights to the child. Such placement of a child shall not be allowed without the consent of all individuals who have legal custody of the child. (full text: https://www.ksrevisor.org/statutes/chapters/ch38/038_024_0003.html)	38-2404, 38-2405
5	40-2,190	Abortion coverage; separate coverage; when required.	L. 2011, ch. 111, § 8; June 2.	(a) Any individual or group health insurance policy, medical service plan, contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society or health maintenance organization, municipal group-funded pool and the state employee health care benefits plan which is delivered, issued for delivery, amended or renewed on or after July 1, 2011, shall exclude coverage for elective abortions, unless the procedure is necessary to preserve the life of the mother. Coverage for abortions may be obtained through an optional rider for which an additional premium is paid. The premium for the optional rider shall be calculated so that it fully covers the estimated cost of covering elective abortions per enrollee as determined on an average actuarial basis. (b) No health insurance exchange established within this state or any health insurance exchange administered by the federal government or its agencies within this state shall offer health insurance contracts, plans, or policies that provide coverage for elective abortions, nor shall any health insurance exchange operating within this state offer coverage for elective abortions through the purchase of an optional rider. (c) For the purposes of this section: (1) "Abortion" means the use or prescription of any instrument, medicine, drug or any other substance or device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child and which causes the premature termination of the pregnancy. (2) "Elective" means an abortion for any reason other than to prevent the death of the mother upon whom the abortion is performed; provided, that an abortion may not be deemed one to prevent the death of the mother based on a claim or diagnosis that she will engage in conduct which will result in her death. (d) The provisions of this section shall be effective from and after July 1, 2011.	40-2,103, 40-2,191, 40-19c09, 40-2246, 65-6733, 79-32,117, 79-32,138,
6	40-2,191	Abortion coverage; severability clause.	L. 2011, ch. 111, § 11; June 2.	From and after July 1, 2011, any provisions of K.S.A. 2019 Supp. 40-2,190 , and amendments thereto, or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of such section which can be given effect without the invalid provisions or application, and to this end, the provisions of K.S.A. 2019 Supp. 40-2,190 , and amendments thereto, are severable.	
7	40-2,215	Abortions delivered via telemedicine not authorized.	L. 2018, ch. 98, § 6; July 1.	Nothing in the Kansas telemedicine act shall be construed to authorize the delivery of any abortion procedure via telemedicine.	
8	40-2246	Same; employer income tax credit for corporations, computation of	L. 1990, ch. 157, § 8; L. 1999, ch. 110, § 4; L. 2005,	(a) A credit against the taxes otherwise due under the Kansas income tax act shall be allowed to an employer for amounts paid during the taxable year for purposes of this act on behalf of an eligible employee as defined in K.S.A. 40-2239 , and amendments thereto, to provide health insurance or care and amounts contributed to health savings accounts of eligible covered employees, except that for	79-32,264

	amount, reduction of deductions, election to claim, refunds; no inclusion of employer expenses in employee income; application date.	ch. 118, § 4; L. 2012, ch. 135, § 2; L. 2013, ch. 119, § 11; July 1.	taxable years commencing after December 31, 2013, no credit shall be allowed pursuant to this section for that portion of any amounts paid by an employer for healthcare expenditures, a health benefit plan, as defined in K.S.A. 65-6731 , and amendments thereto, or amounts contributed to health savings accounts for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 40-2,190 , and amendments thereto. (full text: https://www.ksrevisor.org/statutes/chapters/ch40/040_022_0046.html)	
9	60-1901 Cause of action.	L. 1963, ch. 303, 60-1901; L. 2013, ch. 48, § 2; July 1. (Prior Law: G.S. 1868, ch. 80, § 422; L. 1909, ch. 182, § 419; R.S. 1923, 60-3203 ; L. 1939, ch. 233, § 2; L. 1947, ch. 319, § 1; L. 1955, ch. 277, § 1.)	(a) If the death of a person is caused by the wrongful act or omission of another, an action may be maintained for the damages resulting therefrom if the former might have maintained the action had such person lived, in accordance with the provisions of this article, against the wrongdoer, or such wrongdoer's personal representative if such wrongdoer is deceased. (b) As used in article 19 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto, the term "person" includes an unborn child. (c) As used in this section, the term "unborn child" means a living individual organism of the species homo sapiens, in utero, at any stage of gestation from fertilization to birth. (d) The provisions of this section shall not apply to a wrongful death action if the death is of an unborn child by means of: (1) Any act committed by the mother of the unborn child; (2) any lawful medical procedure performed by a physician or other licensed medical professional at the request of the pregnant woman or her legal guardian; (3) the lawful dispensation or administration of lawfully prescribed medication; or (4) a legal abortion. (e) If any provision or clause of this act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.	
10	60-1906 Wrongful life or wrongful birth claims; prohibited.	L. 2013, ch. 48, § 1; July 1.	(a) No civil action may be commenced in any court for a claim of wrongful life or wrongful birth, and no damages may be recovered in any civil action for any physical condition of a minor that existed at the time of such minor's birth if the damages sought arise out of a claim that a person's action or omission contributed to such minor's mother not obtaining an abortion. (b) Nothing in this section shall be deemed to create any new cause of action, nor preclude any otherwise proper cause of action based on a claim that, but for a person's wrongful action or omission, the death or physical injury of the mother would not have occurred, or the handicap, disease or disability of an individual prior to birth would have been prevented, cured or ameliorated in a manner that preserved the health and life of such individual. (c) If any provision or clause of this act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable. (d) As used in this section: (1) "Abortion" has the same meaning as such term is defined in K.S.A. 65-6701 , and amendments thereto. (2) "Claim of wrongful birth" means a cause of action brought by a parent, legal guardian or other individual legally required to provide for the support of a minor, which seeks damages, whether economic or noneconomic, as a result of a physical condition of such minor that existed at the time of	

			<p>such minor's birth, and which is based on a claim that a person's action or omission contributed to such minor's mother not obtaining an abortion.</p> <p>(3) "Claim of wrongful life" means a cause of action brought by, or on behalf of, a minor, which seeks damages, whether economic or noneconomic, for such minor as a result of a physical condition of such minor that existed at the time of such minor's birth, and which is based on a claim that a person's action or omission contributed to such minor's mother not obtaining an abortion.</p>		
11	65-1,159a	Senator Stan Clark pregnancy maintenance initiative program; objectives; grants; annual report to legislature.	L. 2005, ch. 147, § 1; July 1.	<p>(a) Subject to appropriations therefor, the secretary of health and environment shall create, develop and administer the Senator Stan Clark pregnancy maintenance initiative program the purpose for which is to award grants to not-for-profit organizations for programs that provide services for women which enable them to carry their pregnancies to term. ... (c) Such grant services may include an array of social services relating to pregnancy maintenance. Such grant services shall provide: (1) That no individuals who are unable to pay may be denied the delivery or provision of pregnancy maintenance services; and (2) adoption services, education or information as a part of the program being provided to the individuals. No grant under the program shall be entered into with any group performing, promoting, referring for or educating in favor of abortion. No part of the grant moneys shall be used for any political purposes. (full text: https://www.ksrevisor.org/statutes/chapters/ch65/065_001_0159a.html)</p>	
12	65-2401	Definitions.	L. 1951, ch. 355, § 1; L. 1963, ch. 319, § 1; L. 1974, ch. 352, § 119; L. 1995, ch. 260, § 4; L. 2014, ch. 128, § 3; July 1.	<p>As used in this act: (a) "Vital statistics" includes the registration, preparation, transcription, collection, compilation, and preservation of data pertaining to birth, adoption, legitimation, death, stillbirth, marriage, divorce, annulment of marriage, induced termination of pregnancy, and data incidental thereto.</p> <p>(b) "Live birth" means the complete expulsion or extraction from its mother of a human child, irrespective of the duration of pregnancy, which, after such expulsion or extraction, breathes or shows any other evidence of life such as beating of the heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, whether or not the umbilical cord has been cut or the placenta is attached.</p> <p>(c) "Gestational age" means the age of the human child as measured in weeks as determined by either the last date of the mother's menstrual period, a sonogram conducted prior to the 20th week of pregnancy or the confirmed known date of conception.</p> <p>(d) "Stillbirth" means any complete expulsion or extraction from its mother of a human child the gestational age of which is not less than 20 completed weeks, resulting in other than a live birth, as defined in this section, and which is not an induced termination of pregnancy.</p> <p>(e) "Induced termination of pregnancy" means abortion, as defined in K.S.A. 65-6701, and amendments thereto.</p> <p>(f) "Dead body" means a lifeless human body or such parts of a human body or the bones thereof from the state of which it reasonably may be concluded that death recently occurred.</p> <p>(g) "Person in charge of interment" means any person who places or causes to be placed a stillborn child or dead body or the ashes, after cremation, in a grave, vault, urn or other receptacle, or otherwise disposes thereof.</p> <p>(h) "Secretary" means the secretary of health and environment.</p>	59-2708, 65-2440, 65-2426a, 65-67a01
13	65-2837	Definitions.	*See full text	<p>As used in K.S.A. 65-2836, and amendments thereto, and in this section:</p> <p>(a) "Professional incompetency" means: ...</p> <p>(b) "Unprofessional conduct" means: ...</p> <p>(5) Performing, procuring or aiding and abetting in the performance or procurement of a criminal abortion. ... (full text: http://www.ksrevisor.org/statutes/chapters/ch65/065_028_0037.html)</p>	65-2837a, 65-2836, 65-28,107, 65-67a07, 65-67a09, 65-4a10, 65-2006,

				65-6712, 65-4a08	
14	65-28b10	Same; abortion not authorized.	L. 2016, ch. 92, § 97; July 1.	(a) Nothing in the independent practice of midwifery act should be construed to authorize a certified nurse-midwife engaging in the independent practice of midwifery under such act to perform, induce or prescribe drugs for an abortion. (b) The provisions of this section shall become effective on January 1, 2017.	65-28b01
15	65-443	Termination of human pregnancy; performance, referral for, or participation in medical procedures not required; prescription or administration of any device or drug not required.	L. 1969, ch. 182, § 1; L. 1975, ch. 313, § 1; L. 2012, ch. 112, § 1; July 1.	No person shall be required to perform, refer for, or participate in medical procedures or in the prescription or administration of any device or drug which result in the termination of a pregnancy or an effect of which the person reasonably believes may result in the termination of a pregnancy, and the refusal of any person to perform, refer for, or participate in those medical procedures, prescription or administration shall not be a basis for civil liability to any person. No medical care facility, medical care facility administrator or governing board of any medical care facility shall terminate the employment of, prevent or impair the practice or occupation of or impose any other sanction on any person because of such person's exercise of rights protected by this section. (Same for sterilization KSA 65-446)	
16	65-444	Same; medical care facility refusal to permit; establishment of criteria and procedures.	L. 1969, ch. 182, § 2; L. 2011, ch. 30, § 233; L. 2012, ch. 112, § 2; July 1.	No medical care facility, medical care facility administrator or governing board of any medical care facility shall be required to permit the performance, referral for, or participation in medical procedures or in the prescription or administration of any device or drug which result in the termination of human pregnancies of an effect of which the medical care facility, administrator or board reasonably believes may result in the termination of human pregnancies within its facility and the refusal to permit such procedures, prescription or administration shall not be grounds for civil liability to any person. A medical care facility may establish criteria and procedures under which pregnancies may be terminated within its institution, in addition to those which may be prescribed by licensing, regulating or accrediting agencies. (Same for sterilization KSA 65-447)	
17	65-445	Termination of human pregnancy; records; annual reports; confidentiality of information, exceptions; penalties for violations.	L. 1969, ch. 182, § 3; L. 1975, ch. 462, § 72; L. 1995, ch. 260, § 2; L. 1998, ch. 142, § 17; L. 2011, ch. 44, § 2; L. 2011, ch. 91, § 27; L. 2014, ch. 115, § 247; July 1.	(a) Every medical care facility shall keep written records of all pregnancies which are lawfully terminated within such medical care facility and shall annually submit a written report thereon to the secretary of health and environment in the manner and form prescribed by the secretary. Every person licensed to practice medicine and surgery shall keep a record of all pregnancies which are lawfully terminated by such person in a location other than a medical care facility and shall annually submit a written report thereon to the secretary of health and environment in the manner and form prescribed by the secretary. (b) Each report required by this section shall include the number of pregnancies terminated during the period of time covered by the report, the type of medical facility in which the pregnancy was terminated, information required to be reported under subsections (b) and (c) of K.S.A. 65-6703 , subsection (j) of K.S.A. 65-6705 , subsection (c) of K.S.A. 65-6721 and K.S.A. 65-6724 , and amendments thereto, if applicable to the pregnancy terminated, and such other information as may be required by the secretary of health and environment, but the report shall not include the names of the persons whose pregnancies were so terminated. Each report required by subsections (b) and (c) of K.S.A. 65-6703 , subsection (j) of K.S.A. 65-6705 and subsection (c) of K.S.A. 65-6721 , and amendments thereto, shall specify the medical diagnosis and condition constituting a substantial and irreversible impairment of a major bodily function or the medical diagnosis and condition which necessitated performance of an abortion to preserve the life of the pregnant woman. Each report required by K.S.A. 65-6703 , and amendments thereto, shall include a sworn statement by the physician	45-229, 65-6703, 65-6705, 65-6709, 65-6721, 65-6724

			performing the abortion and the referring physician that such physicians are not legally or financially affiliated. (full text: https://www.ksrevisor.org/statutes/chapters/ch65/065_004_0045.html)		
18	65-446	Medical procedures resulting in sterilization of persons; performance, referral for, or participation in procedures not required.	L. 1971, ch. 206, § 1; L. 2012, ch. 112, § 3; July 1.	No person shall be required to perform, refer for or participate in medical procedures which result in sterilization of a person, and the refusal of any person to perform, refer for or participate in those medical procedures shall not be a basis for civil liability to any person. No medical care facility, medical care facility administrator or governing board of any medical care facility shall terminate the employment of, prevent or impair the practice or occupation of or impose any other sanction on any person because of such person's exercise of rights protected by this section.	
19	65-447	Same; medical care facility refusal to permit; establishment of criteria and procedures authorized.	L. 1971, ch. 206, § 2; L. 2012, ch. 112, § 4; July 1.	No medical care facility, medical care facility administrator, or governing board of any medical care facility shall be required to permit the performance, referral for or participation in medical procedures resulting in sterilization within its facility and the refusal to permit such procedures shall not be grounds for civil liability to any person. A medical care facility may establish criteria and procedures under which sterilizations may be performed within its institution, in addition to those which may be prescribed by licensing, regulating or accrediting agencies.	
20	65-4a01	Definitions.	L. 2011, ch. 82, § 1; L. 2014, ch. 87, § 1; Apr. 24.	As used in K.S.A. 65-4a01 through 65-4a12 , and amendments thereto: (a) "Abortion" means the use or prescription of any instrument, medicine, drug or any other substance or device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child, and which causes the premature termination of the pregnancy. (b) "Ambulatory surgical center" means an ambulatory surgical center as defined in K.S.A. 65-425 , and amendments thereto. (c) "Bodily function" means physical functions only. The term "bodily function" does not include mental or emotional functions. (d) "Clinic" means any facility, other than a hospital or ambulatory surgical center, in which any second or third trimester, or five or more first trimester abortions are performed in a month. (e) "Department" means the department of health and environment. (f) "Elective abortion" means an abortion for any reason other than to prevent the death of the mother upon whom the abortion is performed; provided, that an abortion may not be deemed one to prevent the death of the mother based on a claim or diagnosis that she will engage in conduct which would result in her death. (g) "Facility" means any clinic, hospital or ambulatory surgical center, in which any second or third trimester elective abortion, or five or more first trimester elective abortions are performed in a month, excluding any abortion performed due to a medical emergency. (h) "Gestational age" has the same meaning ascribed thereto in K.S.A. 65-6701 , and amendments thereto, and shall be determined pursuant to K.S.A. 65-6703 , and amendments thereto. (i) "Hospital" means a hospital as defined in subsection (a) or (b) of K.S.A. 65-425 , and amendments thereto. (j) "Medical emergency" means a condition that, in a reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to	65-4a02, 65-4a04, 65-4a06, 65-4a09, 65-4a11

			<p>avert her death, or for which a delay necessary to comply with the applicable statutory requirements will create serious risk of substantial and irreversible physical impairment of a major bodily function. No condition shall be deemed a medical emergency if based on a claim or diagnosis that the woman will engage in conduct which would result in her death or in substantial and irreversible physical impairment of a major bodily function.</p> <p>(k) "Physician" has the same meaning ascribed thereto in K.S.A. 65-6701, and amendments thereto.</p> <p>(l) "Secretary" means the secretary of the department of health and environment.</p>	
21	65-4a02	Licensure, facilities performing abortions; posting; fee.	<p>L. 2011, ch. 82, § 2; July 1.</p> <p>(a) A facility shall be licensed in accordance with K.S.A. 65-4a01 through 65-4a12, and amendments thereto.</p> <p>(b) Any facility seeking licensure for the performance of abortions shall submit an application for such license to the department on forms and in the manner required by the secretary. Such application shall contain such information as the secretary may reasonably require, including affirmative evidence of the ability of the applicant to comply with such reasonable standards and rules and regulations adopted pursuant to K.S.A. 65-4a09, and amendments thereto.</p> <p>(c) Upon receipt of such application and verification by the department that the applicant is in compliance with all applicable laws and rules and regulations, the secretary shall issue a license to the applicant.</p> <p>(d) A license issued under this section shall be posted in a conspicuous place in a public area within the facility. The issuance of a license does not guarantee adequacy of individual care, treatment, personal safety, fire safety or the well-being of any occupant of such facility. A license is not assignable or transferable.</p> <p>(e) A license shall be effective for one year following the date of issuance. A license issued under this section shall apply only to the premises described in the application and in the license issued thereon, and only one location shall be described in each license.</p> <p>(f) At the time application for a license is made the applicant shall pay a license fee in the amount of \$500. Fees paid pursuant to this section shall not be refunded by the secretary.</p> <p>(g) The secretary may make exceptions to the standards set forth in law or in rules and regulations when it is determined that the health and welfare of the community require the services of the hospital or ambulatory surgical center and that the exceptions, as granted, will have no significant adverse impact on the health, safety or welfare of the patients of such hospital or ambulatory surgical center.</p>	65-4a03, 65-4a08
22	65-4a03	License; annual renewal.	<p>L. 2011, ch. 82, § 3; July 1.</p> <p>Applicants for an annual license renewal shall file an application with the department and pay the license fee in accordance with K.S.A. 65-4a02, and amendments thereto. Applicants for an annual license renewal shall also be subject to a licensing inspection in accordance with K.S.A. 65-4a05, and amendments thereto.</p>	
23	65-4a05	Inspections; frequency; confidentiality of certain records.	<p>L. 2011, ch. 82, § 5; July 1.</p> <p>(a) The secretary shall make or cause to be made such inspections and investigations of each facility at least twice each calendar year and at such other times as the secretary determines necessary to protect the public health and safety and to implement and enforce the provisions of K.S.A. 65-4a01 through 65-4a12, and amendments thereto, and rules and regulations adopted pursuant to K.S.A. 65-4a09, and amendments thereto. At least one inspection shall be made each calendar year without providing prior notice to the facility. For that purpose, authorized agents of the secretary shall have access to a facility during regular business hours.</p> <p>(b) Information received by the secretary through filed reports, inspections or as otherwise authorized under K.S.A. 65-4a01 through 65-4a12, and amendments thereto, shall not be disclosed publicly in such manner as to identify individuals. Under no circumstances shall patient medical or other identifying information be made available to the public, and such information shall always be treated by the department as confidential.</p>	45-229

24	65-4a06	Licensure; denial, suspension or revocation; procedures license violation classes; penalties; fines.	L. 2011, ch. 82, § 6; July 1.	(a) When the secretary determines that a facility is in violation of any applicable law or rule and regulation relating to the operation or maintenance of such facility, the secretary, upon proper notice, may deny, suspend or revoke the license of such facility, or assess a monetary penalty after notice and an opportunity for hearing has been given to the licensee in accordance with the provisions of the Kansas administrative procedure act.	
25	65-4a07	Late term abortions; performed in hospital or ambulatory surgical center only; exception.	L. 2011, ch. 82, § 7; L. 2014, ch. 87, § 2; Apr. 24.	Except in the case of a medical emergency, an abortion performed when the gestational age of the unborn child is 22 weeks or more shall be performed in a hospital or ambulatory surgical center licensed pursuant to this act. All other abortions shall be performed in a facility licensed pursuant to this act, except that a hospital or ambulatory surgical center that does not meet the definition of a facility under this act and that is licensed pursuant to K.S.A. 65-425 et seq., and amendments thereto, may perform abortions.	
26	65-4a08	Operating without a valid license; criminal penalties.	L. 2011, ch. 82, § 8; July 1.	(a) It shall be unlawful to operate a facility within Kansas without possessing a valid license issued annually by the secretary pursuant to K.S.A. 65-4a02 , and amendments thereto, with no requirement of culpable mental state. (b) It shall be unlawful for a person to perform or induce an abortion in a facility unless such person is a physician, with clinical privileges at a hospital located within 30 miles of the facility, with no requirement of culpable mental state. (c) Violation of subsection (a) or (b) is a class A nonperson misdemeanor and shall constitute unprofessional conduct under K.S.A. 65-2837 , and amendments thereto	
27	65-4a09	Rules and regulations; secretary of health and environment.	L. 2011, ch. 82, § 9; July 1.	(a) The secretary shall adopt rules and regulations for the licensure of facilities for the performance of abortions. (b) The secretary shall adopt rules and regulations concerning sanitation, housekeeping, maintenance, staff qualifications, emergency equipment and procedures to provide emergency care, medical records and reporting, laboratory, procedure and recovery rooms, physical plant, quality assurance, infection control, information on and access to patient follow-up care and any other areas of medical practice necessary to carry out the purposes of K.S.A. 65-4a01 through 65-4a12 , and amendments thereto, for facilities for the performance of abortions. At a minimum these rules and regulations shall prescribe standards for: (full text: https://www.ksrevisor.org/statutes/chapters/ch65/065_004a_0009.html)	65-4a02, 65-4a05
28	65-4a10	Performance of abortions; only physicians; RU-486 or any drug induced abortion requirements; violations.	L. 2011, ch. 82, § 10; L. 2015, ch. 84, § 1; June 11.	(a) No abortion shall be performed or induced by any person other than a physician licensed to practice medicine in the state of Kansas. (b) (1) Except in the case of an abortion performed in a hospital through inducing labor: (A) When RU-486 (mifepristone) is used for the purpose of inducing an abortion, the drug shall initially be administered by or in the same room and in the physical presence of the physician who prescribed, dispensed or otherwise provided the drug to the patient; and (B) when any other drug is used for the purpose of inducing an abortion, the drug or the prescription for such drug shall be given to the patient by or in the same room and in the physical presence of the physician who prescribed, dispensed or otherwise provided the drug or prescription to the patient. (2) The provisions of this subsection shall not apply in the case of a medical emergency. (c) The physician inducing the abortion, or a person acting on behalf of the physician inducing the abortion, shall make all reasonable efforts to ensure that the patient returns 12 to 18 days after the administration or use of such drug for a subsequent examination so that the physician can confirm that the pregnancy has been terminated and assess the patient's medical condition. A brief description of the efforts made to comply with this subsection, including the date, time and identification by name of the person making such efforts, shall be included in the patient's medical record.	

			(d) A violation of this section shall constitute unprofessional conduct under K.S.A. 65-2837 , and amendments thereto.		
29	65-4a11	Act does not create right to abortion.	L. 2011, ch. 82, § 11; July 1.	Nothing in K.S.A. 65-4a01 through 65-4a12 , and amendments thereto, shall be construed as creating or recognizing a right to abortion. Notwithstanding any provision of this section, a person shall not perform an abortion that is prohibited by law.	
30	65-6701	Definitions.	L. 1992, ch. 183, § 1; L. 1997, ch. 190, § 26; L. 2000, ch. 162, § 25; L. 2011, ch. 44, § 3; L. 2013, ch. 119, § 12; L. 2014, ch. 87, § 3; Apr. 24.	<p>As used in K.S.A. 65-6701 through 65-6721, and amendments thereto:</p> <p>(a) "Abortion" means the use or prescription of any instrument, medicine, drug or any other substance or device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child, and which causes the premature termination of the pregnancy.</p> <p>(b) "Bodily function" means physical functions only. The term "bodily function" does not include mental or emotional functions.</p> <p>(c) "Counselor" means a person who is: (1) Licensed to practice medicine and surgery; (2) licensed to practice professional or practical nursing; (3) the following persons licensed to practice behavioral sciences: Licensed psychologists, licensed master's level psychologists, licensed clinical psychotherapists, licensed social workers, licensed specialist clinical social workers, licensed marriage and family therapists, licensed clinical marriage and family therapists, licensed professional counselors, licensed clinical professional counselors; (4) a licensed physician assistant; or (5) a currently ordained member of the clergy or religious authority of any religious denomination or society. Counselor does not include the physician who performs or induces the abortion or a physician or other person who assists in performing or inducing the abortion.</p> <p>(d) "Department" means the department of health and environment.</p> <p>(e) "Fertilization" means the fusion of a human spermatozoon with a human ovum.</p> <p>(f) "Gestational age" means the time that has elapsed since the first day of the woman's last menstrual period.</p> <p>(g) "Medical emergency" means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert the death of the woman or for which a delay necessary to comply with the applicable statutory requirements will create serious risk of substantial and irreversible physical impairment of a major bodily function. No condition shall be deemed a medical emergency if based on a claim or diagnosis that the woman will engage in conduct which would result in her death or in substantial and irreversible physical impairment of a major bodily function.</p> <p>(h) "Minor" means a person less than 18 years of age.</p> <p>(i) "Physician" means a person licensed to practice medicine and surgery in this state.</p> <p>(j) "Pregnant" or "pregnancy" means that female reproductive condition of having an unborn child in the mother's body.</p> <p>(k) "Qualified person" means an agent of the physician who is a psychologist, licensed social worker, licensed professional counselor, licensed marriage and family therapist, licensed master's level psychologist, licensed clinical psychotherapist, registered nurse or physician.</p> <p>(l) "Unemancipated minor" means any minor who has never been: (1) Married; or (2) freed, by court order or otherwise, from the care, custody and control of the minor's parents.</p> <p>(m) "Viable" means that stage of fetal development when it is the physician's judgment according to accepted obstetrical or neonatal standards of care and practice applied by physicians in the same or</p>	21-5419, 60-1906, 65-4a01, 65-2401, 65-67a01, 65-67a09, 65-6708, 65-6726, 65-6731, 79-32,261, 79-32,195, 79-32,182b, 79-3606

			similar circumstances that there is a reasonable probability that the life of the child can be continued indefinitely outside the mother's womb with natural or artificial life-supportive measures.		
31	65-6702	Drugs or devices for birth control or fertilization lawful; political subdivisions prohibited from limiting abortion.	L. 1992, ch. 183, § 2; July 1.	(a) The use of any drug or device that inhibits or prevents ovulation, fertilization or implantation of an embryo and disposition of the product of in vitro fertilization prior to implantation are lawful in this state and neither the state nor any political subdivision of the state shall prohibit the use of any such drug or device or the disposition of such product. (b) No political subdivision of the state shall regulate or restrict abortion.	
32	65-6703	Abortion when unborn child viable; restrictions and prohibitions; civil damages and criminal penalties for violations.	L. 1992, ch. 183, § 3; L. 1993, ch. 291, § 240; L. 1998, ch. 142, § 15; L. 2011, ch. 91, § 29; L. 2013, ch. 119, § 13; July 1.	(a) No person shall perform or induce, or attempt to perform or induce an abortion when the unborn child is viable unless such person is a physician and has a documented referral from another physician not legally or financially affiliated with the physician performing or inducing, or attempting to perform or induce the abortion and both physicians provide a written determination, based upon a medical judgment arrived at using and exercising that degree of care, skill and proficiency commonly exercised by the ordinary skillful, careful and prudent physician in the same or similar circumstances and that would be made by a reasonably prudent physician, knowledgeable in the field, and knowledgeable about the case and the treatment possibilities with respect to the conditions involved, that: (1) The abortion is necessary to preserve the life of the pregnant woman; or (2) a continuation of the pregnancy will cause a substantial and irreversible physical impairment of a major bodily function of the pregnant woman. No condition shall be deemed to exist if it is based on a claim or diagnosis that the woman will engage in conduct that would result in her death or in substantial and irreversible physical impairment of a major bodily function. (full text: https://www.ksrevisor.org/statutes/chapters/ch65/065_067_0003.html)	65-4a01, 65-6747, 65-445, 65-2837
33	65-6704	Abortion upon minor; required information and counseling.	L. 1992, ch. 183, § 4; L. 2014, ch. 87, § 4; Apr. 24.	(a) Before the performance of an abortion upon a minor, a counselor shall provide pregnancy information and counseling in a manner that can be understood by the minor and allows opportunity for the minor's questions to be addressed. A parent or guardian, or a person 21 or more years of age who is not associated with the abortion provider and who has a personal interest in the minor's well-being, shall accompany the minor and be involved in the minor's decision-making process regarding whether to have an abortion. Such information and counseling shall include: (1) The alternatives available to the minor, including abortion, adoption and other alternatives to abortion; (2) an explanation that the minor may change a decision to have an abortion at any time before the abortion is performed or may decide to have an abortion at any time while an abortion may be legally performed; (3) make available to the minor information on agencies available to assist the minor and agencies from which birth control information is available; (4) discussion of the possibility of involving the minor's parent or parents, other adult family members or guardian in the minor's decision-making; and (5) information regarding the provisions of K.S.A. 65-6705 , and amendments thereto, and the minor's rights under such provisions. (b) After the performance of an abortion on a minor, a counselor shall provide counseling to assist the minor in adjusting to any post-abortion problems that the minor may have. (c) After the counselor provides information and counseling to a minor as required by this section, the counselor shall have the minor sign and date a statement setting forth the requirements of subsections (a) and (b) and declaring that the minor has received information and counseling in accordance with those requirements.	65-6705

			<p>(d) The counselor shall also sign and date the statement and shall include the counselor's business address and business telephone number. The counselor shall keep a copy for the minor's medical record and shall give the form to the minor or, if the minor requests and if the counselor is not the attending physician, transmit the statement to the minor's attending physician. Such medical record shall be maintained as otherwise provided by law.</p> <p>(e) The provision by a counselor of written materials which contain information and counseling meeting the requirements of subsections (a) and (b) and which is signed by the minor shall be presumed to be evidence of compliance with the requirements of this section.</p> <p>(f) The requirements of subsection (a) shall not apply when a medical emergency exists. A physician who does not comply with the requirements of this section by reason of this exception shall state in the medical record of the abortion the medical indications on which the physician's judgment was based.</p>	
34	65-6705	Same; written consent of certain persons required before performance of abortion; waiver of requirement; court proceedings; penalties; judicial record and report; civil action.	<p>L. 1992, ch. 183, § 5; L. 1993, ch. 291, § 241; L. 2011, ch. 44, § 5; L. 2014, ch. 87, § 5; Apr. 24.</p> <p>(a) Except in the case of a medical emergency, no person shall perform an abortion upon an unemancipated minor, unless the person first obtains the notarized written consent of the minor and both parents or the legal guardian of the minor.</p> <p>(1) If the minor's parents are divorced or otherwise unmarried and living separate and apart, then the written consent of the parent with primary custody, care and control of such minor shall be sufficient.</p> <p>(2) If the minor's parents are married and one parent is not available to the person performing the abortion in a reasonable time and manner, then the written consent of the parent who is available shall be sufficient.</p> <p>(3) If the minor's pregnancy was caused by sexual intercourse with the minor's natural father, adoptive father, stepfather or legal guardian, then the written consent of the minor's mother shall be sufficient. Notice of such circumstances shall be reported to the proper authorities as provided in K.S.A. 2019 Supp. 38-2223, and amendments thereto. (full text: https://www.ksrevisor.org/statutes/chapters/ch65/065_067_0005.html)</p>	65-445, 65-6704
35	65-6708	Woman's-right-to-know act; citation.	<p>L. 1997, ch. 190, § 25; July 1.</p> <p>K.S.A. 65-6701 and K.S.A. 65-6708 to 65-6715, inclusive, and amendments thereto shall be known and may be cited as the woman's-right-to-know act.</p>	65-6705
36	65-6709	Same; abortion, informed consent required; information required to be given to women, certification of receipt; offer to view ultrasound image and hear heartbeat, certification of offer; required signage.	<p>L. 1997, ch. 190, § 27; L. 2009, ch. 28, § 1; L. 2011, ch. 44, § 6; L. 2013, ch. 119, § 14; L. 2014, ch. 87, § 6; L. 2017, ch. 88, § 1; July 1.</p> <p>No abortion shall be performed or induced without the voluntary and informed consent of the woman upon whom the abortion is to be performed or induced. Except in the case of a medical emergency, consent to an abortion is voluntary and informed only if:</p> <p>(a) At least 24 hours before the abortion the physician who is to perform the abortion or the referring physician has informed the woman in writing, which shall be provided on white paper in a printed format in black ink with 12-point times new roman font, of:</p> <p>(1) The following information concerning the physician who will perform the abortion;</p> <p>(A) The name of such physician;</p> <p>(B) the year in which such physician received a medical doctor's degree;</p> <p>(C) the date on which such physician's employment commenced at the facility where the abortion is to be performed;</p> <p>(D) whether any disciplinary action has been taken against such physician by the state board of healing arts by marking either a box indicating "yes" or a box indicating "no" and if the box indicating "yes" is marked, then provide the website addresses to the board documentation for each disciplinary action;</p> <p>(E) whether such physician has malpractice insurance by marking either a box indicating "yes" or a box indicating "no";</p> <p>(full text: https://www.ksrevisor.org/statutes/chapters/ch65/065_067_0009.html)</p>	65-67a07, 65-6710, 65-6712

37	65-6710	Same; materials to be published and distributed by the department of health and environment; materials to be available at no cost.	L. 1997, ch. 190, § 28; L. 2009, ch. 28, § 2; L. 2011, ch. 44, § 7; L. 2013, ch. 119, § 15; July 1.	(a) The department shall cause to be published and distributed widely, within 30 days after the effective date of this act, and shall update on an annual basis, the following easily comprehensible informational materials: (1) Geographically indexed printed materials designed to inform the woman of public and private agencies and services available to assist a woman through pregnancy, upon childbirth and while her child is dependent, including, but not limited to, a list of providers of free ultrasound services and adoption agencies. The materials shall include a comprehensive list of the agencies, a description of the services they offer and the telephone numbers and addresses of the agencies; and inform the woman about available medical assistance benefits for prenatal care, childbirth and neonatal care and about the support obligations of the father of a child who is born alive. The department shall ensure that the materials described in this section are comprehensive and do not directly or indirectly promote, exclude or discourage the use of any agency or service described in this section. The materials shall also contain a toll-free 24-hour-a-day telephone number which may be called to obtain, orally, such a list and description of agencies in the locality of the caller and of the services they offer. The materials shall state that it is unlawful for any individual to coerce a woman to undergo an abortion, and that any physician who performs an abortion upon a woman without her informed consent may be liable to her for damages. Kansas law permits adoptive parents to pay costs of prenatal care, childbirth and neonatal care. The materials shall include the following statement: "Many public and private agencies exist to provide counseling and information on available services. You are strongly urged to seek their assistance to obtain guidance during your pregnancy. In addition, you are encouraged to seek information on alternatives to abortion, including adoption, and resources available to postpartum mothers. The law requires that your physician or the physician's agent provide the enclosed information." (full text: https://www.ksrevisor.org/statutes/chapters/ch65/065_067_0010.html)	65-6709, 65-6712
38	65-6711	Same; information where medical emergency compels performances of an abortion.	L. 1997, ch. 190, § 29; July 1.	Where a medical emergency compels the performance of an abortion, the physician shall inform the woman, before the abortion if possible, of the medical indications supporting the physician's judgment that an abortion is necessary to avert her death or to avert substantial and irreversible impairment of a major bodily function.	
39	65-6712	Same; failure to provide informed consent and printed materials under act is unprofessional conduct.		Any physician who intentionally, knowingly or recklessly fails to provide in accordance with K.S.A. 65-6709 and amendments thereto the printed materials described in K.S.A. 65-6710 and amendments thereto, whether or not an abortion is actually performed on the woman, is guilty of unprofessional conduct as defined in K.S.A. 65-2837 and amendments thereto.	
40	65-6714	Same; severability clause.	L. 1997, ch. 190, § 32; July 1.	The provisions of this act are declared to be severable, and if any provision, word, phrase or clause of the act or the application thereof to any person shall be held invalid, such invalidity shall not affect the validity of the remaining portions of the woman's-right-to-know act.	
41	65-6715	Same; act does not create or recognize a right to abortion or make lawful an abortion that is currently unlawful.	L. 1997, ch. 190, § 33; July 1.	(a) Nothing in the woman's-right-to-know act shall be construed as creating or recognizing a right to abortion. (b) It is not the intention of the woman's-right-to-know act to make lawful an abortion that is currently unlawful.	65-6708
42	65-6721	Partial birth abortion; restrictions	L. 1998, ch. 142, § 18; L.	(a) No person shall perform or induce a partial birth abortion on an unborn child unless such person is a physician and has a documented referral from another physician who is licensed to practice in this state,	65-445,

	and prohibitions; civil damages and criminal penalties for violations.	2011, ch. 44, § 8; L. 2011, ch. 91, § 30; July 1.	and who is not legally or financially affiliated with the physician performing or inducing the abortion and both physicians provide a written determination, based upon a medical judgment that would be made by a reasonably prudent physician, knowledgeable in the field and knowledgeable about the case and the treatment possibilities with respect to the conditions involved, that the partial birth abortion is necessary to save the life of a mother whose life is endangered by a physical disorder, physical illness or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself. (b) As used in this section, "partial birth abortion" means an abortion procedure in which the person performing the abortion deliberately and intentionally vaginally delivers a living unborn child until, in the case of a head-first presentation, the entire head of the unborn child is outside the body of the mother, or, in the case of a breech presentation, any part of the trunk of the unborn child past the navel is outside the body of the mother, for the purpose of performing an overt act that the person knows will kill the partially delivered living unborn child, and performs the overt act, other than completion of delivery, that kills the partially delivered living unborn child. (full text: https://www.ksrevisor.org/statutes/chapters/ch65/065_067_0021.html)	65-6701, 65-6747,
43	65-6722 Abortion of pain-capable unborn child; legislative findings.	L. 2011, ch. 41, § 1; July 1.	The legislature hereby finds and declares that: (a) Pain receptors (nociceptors) are present throughout the unborn child's entire body by no later than 16 weeks after fertilization and nerves link these receptors to the brain's thalamus and subcortical plate by no later than 20 weeks; (b) by eight weeks after fertilization, the unborn child reacts to touch. By 20 weeks after fertilization, the unborn child reacts to stimuli that would be recognized as painful if applied to an adult human, for example, by recoiling; (full text: http://www.ksrevisor.org/statutes/chapters/ch65/065_067_0022.html)	65-6723
44	65-6723 Same; definitions.	L. 2011, ch. 41, § 2; L. 2014, ch. 87, § 7; Apr. 24.	As used in K.S.A. 65-6722 through 65-6724 , and amendments thereto: (a) "Abortion" means the use or prescription of any instrument, medicine, drug or any other substance or device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child, and which causes the premature termination of the pregnancy. (b) "Bodily function" means physical function. The term "bodily function" does not include mental or emotional functions. (c) "Department" means the department of health and environment. (d) "Gestational age" means the time that has elapsed since the first day of the woman's last menstrual period. (e) "Medical emergency" means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert her death or for which a delay necessary to comply with the applicable statutory requirements will create serious risk of substantial and irreversible physical impairment of a major bodily function. No condition shall be deemed a medical emergency if based on a claim or diagnosis that the woman will engage in conduct which would result in her death or in substantial and irreversible physical impairment of a major bodily function. (f) "Pain-capable unborn child" means an unborn child having reached the gestational age of 22 weeks or more. (g) "Physician" means a person licensed to practice medicine and surgery in this state.	

			(h) "Pregnant" or "pregnancy" means that female reproductive condition of having an unborn child in the mother's body.		
45	65-6724	Same; certain abortions prohibited, exceptions; determination of gestational age; civil action; criminal penalties.	L. 2011, ch. 41, § 3; July 1.	(a) No person shall perform or induce, or attempt to perform or induce an abortion upon a pain-capable unborn child unless such person is a physician and has a documented referral from another physician not legally or financially affiliated with the physician performing or inducing, or attempting to perform or induce the abortion and both physicians provide a written determination, based upon a medical judgment arrived at using and exercising that degree of care, skill and proficiency commonly exercised by the ordinary skillful, careful and prudent physician in the same or similar circumstances and that would be made by a reasonably prudent physician, knowledgeable in the field, and knowledgeable about the case and the treatment possibilities with respect to the conditions involved, that: (1) The abortion is necessary to preserve the life of the pregnant woman; or (2) a continuation of the pregnancy will cause a substantial and irreversible physical impairment of a major bodily function of the pregnant woman. No such condition shall be deemed to exist if it is based on a claim or diagnosis that the woman will engage in conduct which would result in her death or in substantial and irreversible physical impairment of a major bodily function. (full text: http://www.ksrevisor.org/statutes/chapters/ch65/065_067_0024.html)	65-445, 65-6723, 65-6747
46	65-6725	Same; construction of act.	L. 2011, ch. 41, § 5; July 1.	Nothing in this act shall be construed to repeal any statute dealing with abortion, but shall be considered supplemental to such other statutes.	
47	65-6726	Abortion based on gender; prohibited.	L. 2013, ch. 119, § 10; July 1.	(a) No person shall perform or induce an abortion or attempt to perform or induce an abortion with knowledge that the pregnant woman is seeking the abortion solely on account of the sex of the unborn child. (b) (1) A woman upon whom an abortion is performed or induced, or upon whom there is an attempt to perform or induce an abortion, in violation of this section, the father, if married to the woman at the time of the abortion, and the parents or custodial guardian of the woman, if the woman has not attained the age of 18 years at the time of the abortion, may in a civil action obtain appropriate relief, unless, in a case where the plaintiff is not the woman upon whom the abortion was performed, the pregnancy resulted from the plaintiff's criminal conduct. (2) Such relief shall include: (A) Money damages for all injuries, psychological and physical, occasioned by the violation of this section; (B) statutory damages equal to three times the cost of the abortion; (C) injunctive relief; and (D) reasonable attorney fees. (full text: http://www.ksrevisor.org/statutes/chapters/ch65/065_067_0026.html)	
48	65-6731	Prohibition on certain funding for abortions; definitions.	L. 2013, ch. 119, § 1; July 1.	As used in K.S.A. 65-6731 through 65-6738 , and amendments thereto: (a) "Abortion" has the same meaning as such term is defined in K.S.A. 65-6701 , and amendments thereto. (b) "Health benefit plan" means any hospital or medical expense policy, health, hospital or medical services corporation contract, and a plan provided by a municipal group-funded pool, or a health maintenance organization contract offered by any employer or any certificate issued under any such policy, contract or plan. (c) "Health care entity" means an individual physician or other health care professional, a hospital, a provider-sponsored organization, a health maintenance organization or any other health care facility or organization. (d) "School district" means any public school district organized under the laws of this state.	40-2246, 65-6735, 65-6736, 65-6738, 79-32,117, 79-32,138

			(e) "State agency" has the same meaning as such term is defined in K.S.A. 75-3701 , and amendments thereto.		
49	65-6732	Legislative declaration that life begins at fertilization.	L. 2013, ch. 119, § 2; July 1.	(a) The legislature hereby finds and declares the following: (1) The life of each human being begins at fertilization; (2) unborn children have interests in life, health and well-being that should be protected; and (3) the parents of unborn children have protectable interests in the life, health and well-being of the unborn children of such parents. (b) On and after July 1, 2013, the laws of this state shall be interpreted and construed to acknowledge on behalf of the unborn child at every stage of development, all the rights, privileges and immunities available to other persons, citizens and residents of this state, subject only to the constitution of the United States, and decisional interpretations thereof by the United States supreme court and specific provisions to the contrary in the Kansas constitution and the Kansas Statutes Annotated. (c) As used in this section: (1) "Fertilization" means the fusion of a human spermatozoon with a human ovum. (2) "Unborn children" or "unborn child" shall include all unborn children or the offspring of human beings from the moment of fertilization until birth at every stage of biological development. (d) Nothing in this section shall be construed as creating a cause of action against a woman for indirectly harming her unborn child by failing to properly care for herself or by failing to follow any particular program of prenatal care.	65-6735, 65-6736
50	65-6733	Prohibition on certain funding for abortion.	L. 2013, ch. 119, § 3; July 1.	Except to the extent required by federal law: (a) No moneys appropriated from the state general fund or from any special revenue fund shall be expended for any abortion; (b) no tax credit shall be allowed against any income tax, premium or privilege tax liability and no exemption shall be granted from sales or compensating use tax for that portion of such amounts paid or incurred for an abortion, or that portion of such amounts paid or incurred for a health benefit plan, including premium assistance, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2019 Supp. 40-2,190 , and amendments thereto; (c) in the case of any tax-preferred trust or account, the purpose of which is to pay medical expenses of the account beneficiary, any amount paid or distributed from such an account for an abortion shall be included in the gross income of such beneficiary; and (d) no health care services provided by any state agency, or any employee of a state agency while acting within the scope of such employee's employment, shall include abortion, nor shall money appropriated from the state general fund or from any special revenue fund be used to pay for the lease or operation of any facility in which abortions are performed.	65-6735, 65-6736
51	65-6734	Same; school districts.	L. 2013, ch. 119, § 4; July 1.	No school district, employee or agent thereof, or educational service provider contracting with such school district shall provide abortion services. No school district shall permit any person or entity to offer, sponsor or otherwise furnish in any manner any course materials or instruction relating to human sexuality or sexually transmitted diseases if such person or entity is an abortion services provider, or an employee, agent or volunteer of an abortion services provider.	65-6735, 65-6736
52	65-6735	Same; construction of act.	L. 2013, ch. 119, § 5; July 1.	Nothing in K.S.A. 65-6731 through 65-6738 , and amendments thereto, shall repeal, amend or have any effect on any other state law to the extent such law imposes any limitation on the use of funds for abortion, more restrictive than the limitations set forth in K.S.A. 65-6731 through 65-6738 , and amendments thereto.	65-6736
53	65-6736	Same; no requirement to	L. 2013, ch. 119, § 6; July 1.	Nothing in K.S.A. 65-6731 through 65-6738 , and amendments thereto, shall be construed: (a) To require any state agency or municipality to provide or pay for any abortion; or (b) as creating or recognizing a right to an abortion.	65-6735

		provide or right to an abortion.			
54	65-6737	Same; discrimination prohibited.	L. 2013, ch. 119, § 7; July 1.	No state agency shall discriminate against any individual or institutional health care entity on the basis that such health care entity does not provide, pay for or refer for abortions.	65-6735, 65-6736
55	65-6738	Same; applicability of act.	L. 2013, ch. 119, § 8; July 1.	The limitations set forth in K.S.A. 65-6731 through 65-6738, and amendments thereto, shall not apply to an abortion which is necessary to preserve the life of the pregnant woman.	65-6731, 65-6735, 65-6736
56	65-6739	Same; severability.	L. 2013, ch. 119, § 23; July 1.	If any provision or clause of this act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.	
57	65-6741 – 65-6749	Kansas unborn child protection from dismemberment abortion act; citation of act.	L. 2015, ch. 22, § 1; July 1.	The provisions of K.S.A. 65-6741 through 65-6749 , and amendments thereto, shall be known and may be cited as the Kansas unborn child protection from dismemberment abortion act.	65-6748
58	65-6743	Dismemberment abortion prohibited; exceptions.	L. 2015, ch. 22, § 3; July 1.	(a) No person shall perform, or attempt to perform, a dismemberment abortion on an unborn child unless: (1) The dismemberment abortion is necessary to preserve the life of the pregnant woman; or (2) a continuation of the pregnancy will cause a substantial and irreversible physical impairment of a major bodily function of the pregnant woman. No condition shall be deemed to exist if it is based on a claim or diagnosis that the woman will engage in conduct that would result in her death or in substantial and irreversible physical impairment of a major bodily function. (b) No woman upon whom an abortion is performed or attempted to be performed shall be liable for performing or attempting to perform a dismemberment abortion. No nurse, technician, secretary, receptionist or other employee or agent who is not a physician, but who acts at the direction of a physician, and no pharmacist or other individual who is not a physician, but who fills a prescription or provides instruments or materials used in an abortion at the direction of or to a physician shall be liable for performing or attempting to perform a dismemberment abortion.	65-6744, 65-6745, 65-6746, 65-6747, 65-6748
59	65-6744	Cause of action for injunctive relief.	L. 2015, ch. 22, § 4; July 1.	The attorney general or any district or county attorney with appropriate jurisdiction may bring a cause of action for injunctive relief against a person who has performed or attempted to perform a dismemberment abortion in violation of K.S.A. 65-6743 , and amendments thereto. Any injunctive relief ordered pursuant to an action filed under this section shall prohibit the defendant from performing or attempting to perform any dismemberment abortions in violation of K.S.A. 65-6743 , and amendments thereto.	65-6745, 65-6748
60	65-6745	Civil action for violation of act.	L. 2015, ch. 22, § 5; July 1.	(a) A cause of action for civil damages against a person who has performed a dismemberment abortion in violation of K.S.A. 65-6743 , and amendments thereto, may be maintained by the following persons, unless, in a case where the plaintiff is not the woman upon whom the abortion was performed, the pregnancy resulted from the plaintiff's criminal conduct: (1) A woman upon whom a dismemberment abortion has been performed in violation of K.S.A. 65-6743 , and amendments thereto; (2) the father of the unborn child, if married to the woman at the time the dismemberment abortion was performed; or (3) the parents or custodial guardians of the woman, if the woman has not attained the age of 18 years at the time of the abortion or has died as a result of the abortion. (b) Damages awarded in such an action shall include:	65-6748

			<p>(1) Money damages for all injuries, psychological and physical, occasioned by the dismemberment abortion;</p> <p>(2) statutory damages equal to three times the cost of the dismemberment abortion;</p> <p>(3) injunctive relief; and</p> <p>(4) reasonable attorney fees awarded in accordance with subsection (d).</p> <p>(d) (1) If judgment is rendered in favor of the plaintiff in an action brought under K.S.A. 65-6744, and amendments thereto, or this section, the court shall award reasonable attorney fees to the plaintiff in addition to any other relief that is awarded.</p> <p>(2) If judgment is rendered in favor of the defendant in an action brought under K.S.A. 65-6744, and amendments thereto, or this section, and the court finds that the plaintiff's action was frivolous and brought in bad faith, the court shall award reasonable attorney fees to the defendant in addition to any other relief that is awarded.</p> <p>(3) No attorney fees shall be assessed against the woman upon whom a dismemberment abortion was performed or attempted to be performed except in accordance with paragraph (2).</p>		
61	65-6746	Criminal penalties for violation of act.	L. 2015, ch. 22, § 6; July 1.	Upon a first conviction of a violation of K.S.A. 65-6743 , and amendments thereto, a person shall be guilty of a class A person misdemeanor. Upon a second or subsequent conviction of a violation of K.S.A. 65-6743 , and amendments thereto, a person shall be guilty of a severity level 10, person felony.	65-6748
62	65-6747	Legal proceedings; public disclosure of name of woman, orders against such disclosure.	L. 2015, ch. 22, § 7; July 1.	In every civil, criminal or administrative proceeding or action arising out of a violation of K.S.A. 65-6703 , 65-6721 , K.S.A. 65-6724 or 65-6743 , and amendments thereto, the court shall rule whether the anonymity of any woman upon whom an unlawful abortion has been performed or attempted to be performed shall be preserved from public disclosure if she does not give her consent to such disclosure. The court, upon motion or sua sponte, shall make such a ruling and, upon determining that such woman's anonymity should be preserved, shall issue orders to the parties, witnesses and counsel and shall direct the sealing of the record and exclusion of individuals from courtrooms or hearing rooms to the extent necessary to safeguard her identity from public disclosure. Each such order shall be accompanied by specific written findings explaining why the anonymity of the woman should be preserved from public disclosure, why the order is essential to that end, how the order is narrowly tailored to serve that interest and why no reasonable less restrictive alternative exists. In the absence of written consent of the woman upon whom an unlawful abortion has been performed or attempted to be performed, anyone other than a public official who brings an action arising out of a violation of K.S.A. 65-6703 , 65-6721 , K.S.A. 65-6724 or 65-6743 , and amendments thereto, shall do so under a pseudonym. This section shall not be construed to conceal the identity of the plaintiff or of witnesses from the defendant or from attorneys for the defendant.	65-6748
63	65-6748	Construction of act.	L. 2015, ch. 22, § 8; July 1.	Nothing in K.S.A. 65-6741 through 65-6749 , and amendments thereto, shall be construed as creating or recognizing a right to abortion, nor a right to a particular method of abortion.	
64	65-6749	Severability.	L. 2015, ch. 22, § 9; July 1.	If any provision or clause of this act* or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable. <i>*this act means L. 2015, ch. 22</i>	65-6741, 65-6748
65	65-67a01	Fetal organs or tissue; definitions.	L. 2000, ch. 148, § 1; May 25.	As used in this act: (a) "Abortion" means an abortion as defined by K.S.A. 65-6701 , and amendments thereto. (b) (1) "Consideration" means: (A) Any payment made or debt incurred; (B) any gift, honorarium or recognition of value bestowed; (C) any price, charge or fee which is waived, forgiven, reduced or indefinitely delayed; (D) any loan or debt which is canceled or otherwise forgiven; or	

			<p>(E) the transfer of any item from one person to another or provision of any service or granting of any opportunity for which a charge is customarily made, without charge or for a reduced charge.</p> <p>(2) "Consideration" shall not mean:</p> <p>(A) A payment in an amount not to exceed \$25 for the cost of transporting, processing, preserving and storing fetal tissue; or</p> <p>(B) a payment in an amount not to exceed the actual cost, as documented by the delivery service, of transporting fetal tissue.</p> <p>(c) "Delivery service" means a common carrier as defined by K.S.A. 66-105, and amendments thereto, or other person or entity used to transport fetal tissue.</p> <p>(d) "Fetal tissue" means any tissue, cells or organs obtained from a dead human embryo or fetus after an abortion or after a stillbirth.</p> <p>(e) "Person" means a person as defined by K.S.A. 65-425, and amendments thereto.</p> <p>(f) "Stillbirth" means a stillbirth as defined by K.S.A. 65-2401, and amendments thereto.</p>	
66	65-67a02	Same; construction of act.	L. 2000, ch. 148, § 2; May 25.	Except as specifically provided by this act, nothing in this act shall be construed as either permitting or prohibiting the use of fetal tissue for any type of scientific, research, laboratory or other kind of experimentation either prior to or subsequent to any abortion or stillbirth.
67	65-67a06	Same; prohibitions; penalty.	L. 2000, ch. 148, § 6; May 25.	<p>(a) No person shall offer any monetary or other inducement to any other person for the purpose of procuring an abortion for the medical, scientific, experimental or therapeutic use of fetal organs or tissue.</p> <p>(b) No person shall offer or accept any valuable consideration for the fetal organs or tissue resulting from an abortion. Nothing in this subsection shall prohibit payment for burial or other final disposition of the fetal remains or payment for a pathological examination, autopsy or postmortem examination of the fetal remains.</p> <p>(c) Any person who intentionally, knowingly or recklessly violates this section shall be guilty of a severity level 2, nonperson felony.</p>
68	65-67a08	Same; severability.	L. 2000, ch. 148, § 8; May 25.	If any provision of this section [act] is held to be invalid or unconstitutional, it shall be presumed conclusively that the legislature would have enacted the remainder of this section [act] without such invalid or unconstitutional provision.
69	65-67a09	Child rape protection act; submission of fetal tissue from certain abortions; physicians' duties; rules and regulations; noncompliance, penalties.	L. 2005, ch. 149, § 3; July 1.	<p>(a) This section shall be known and may be cited as the child rape protection act.</p> <p>(b) As used in this section:</p> <p>(1) "Abortion" has the meaning provided in K.S.A. 65-6701, and amendments thereto.</p> <p>(2) "Physician" means any person licensed to practice medicine and surgery.</p> <p>(c) Any physician who performs an abortion on a minor who was less than 14 years of age at the time of the abortion procedure shall preserve, in accordance with rules and regulations adopted by the attorney general pursuant to this section, fetal tissue extracted during such abortion. The physician shall submit such tissue to the Kansas bureau of investigation or to a laboratory designated by the director of the Kansas bureau of investigation.</p> <p>(full text: https://www.ksrevisor.org/statutes/chapters/ch65/065_067a_0009.html)</p>
70	74-99b03	Definitions.	L. 2004, ch. 112, § 3; L. 2011, ch. 104, § 37; July 1.	<p>As used in the bioscience authority act, and amendments thereto, the following words and phrases shall have the following meanings unless a different meaning clearly appears from the content:</p> <p>(a) "Authority" means the Kansas bioscience authority created by this act.</p> <p>... (z) Notwithstanding any other provision of this act, the terms "bioscience," "biotechnology" and "life sciences" shall not be construed to include:</p> <p>(1) Induced abortion in humans, performed after the date of enactment of this act, or the use of cells or tissues derived therefrom; or</p>

			(2) any research the federal funding of which would be contrary to federal laws that are in effect on the date of enactment of this act. (full text: https://www.ksrevisor.org/statutes/chapters/ch74/074_099b_0003.html)		
71	76-3308	Powers and duties of authority; limitations on performance of abortions in authority facilities.	L. 1998, ch. 12, § 8; L. 2013, ch. 119, § 16; L. 2014, ch. 87, § 8; Apr. 24.	(a) The authority shall have all the powers necessary to carry out the purposes and provisions of this act, including, without limitation, the following powers to: ... (i) Notwithstanding any provision of law to the contrary, no abortion shall be performed, except in the event of a medical emergency, in any medical facility, hospital or clinic owned, leased or operated by the authority. The provisions of this subsection are not applicable to any member of the physician faculty of the university of Kansas school of medicine when such abortion is performed outside the scope of such member's employment on property not owned, leased or operated by the authority. As used in this subsection, "medical emergency" means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert the death of the woman or for which a delay necessary to comply with the applicable statutory requirements will create serious risk of substantial and irreversible physical impairment of a major bodily function. No condition shall be deemed a medical emergency if based on a claim or diagnosis that the woman will engage in conduct which would result in her death or in substantial and irreversible physical impairment of a major bodily function. (full text: http://www.ksrevisor.org/statutes/chapters/ch76/076_033_0008.html)	
72	76-839	Same; no embryonic stem cells or fetal tissue cells used.	L. 2013, ch. 114, § 5; July 1.	All funds and facilities of the midwest stem cell therapy center shall be dedicated to treatments and research with adult, cord blood and related stem cells and non-embryonic stem cells. No funds or facilities of the midwest stem cell therapy center shall involve embryonic stem cells or fetal tissue cells.	
73	76-840	Same; definitions.	L. 2013, ch. 114, § 6; July 1.	As used in K.S.A. 76-835 through 76-840, and amendments thereto: (a) "Adult, cord blood and related stem cells" are stem cells derived from postnatal tissue cells, umbilical cord blood and cord tissue including Wharton's jelly, amniotic fluid and placental tissue. (b) "Embryonic stem cells" are stem cells derived from early stage human embryos, up to and including the blastocyst stage. (c) "Facilities" include all equipment used by the midwest stem cell therapy center. (d) "Fetal tissue cells" are cells harvested from aborted fetal tissue. (e) "Non-embryonic stem cells" are stem cells such as iPS cells (induced pluripotent stem cells) generated from adult somatic cells or other non-embryonic tissue cells without any embryonic component.	
74	79-32, 195	Tax credits for community services contributions; definitions.	L. 1994, ch. 38, § 2; L. 1998, ch. 136, § 7; L. 1999, ch. 154, § 7; L. 2001, ch. 176, § 10; L. 2013, ch. 119, § 20; L. 2014, ch. 81, § 8; July 1.	As used in this act, the following words and phrases shall have the meanings ascribed to them herein: (a) "Business firm" means any business entity authorized to do business in the state of Kansas which is subject to the state income tax imposed by the provisions of the Kansas income tax act, any individual subject to the state income tax imposed by the provisions of the Kansas income tax act, any national banking association, state bank, trust company or savings and loan association paying an annual tax on its net income pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, or any insurance company paying the premium tax and privilege fees imposed pursuant to K.S.A. 40-252 , and amendments thereto; ... (g) "Health care services" shall include, but not be limited to, the following: Services provided by local health departments, city, county or district hospitals, city or county nursing homes, or other residential institutions, preventive health care services offered by a community service organization including immunizations, prenatal care, the postponement of entry into nursing homes by home health care services, and community based services for persons with a disability, mental health services, indigent health care, physician or health care worker recruitment, health education, emergency medical services, services provided by rural health clinics, integration of health care services, home health services and services provided by rural health networks, except that	74-50,208, 79-32,199b, 79-32,215

			for taxable years commencing after December 31, 2013, health care services shall not include any service involving the performance of any abortion, as defined in K.S.A. 65-6701 , and amendments thereto. (full text: https://www.ksrevisor.org/statutes/chapters/ch79/079_032_0195.html)		
75	79-32, 261	Tax credit for certain contributions to community college, technical college or postsecondary educational institution.	L. 2007, ch. 200, § 16; L. 2013, ch. 119, § 21; July 1.	a) On and after July 1, 2008, any taxpayer who contributes in the manner prescribed by this section to a community college located in Kansas for capital improvements, to a technical college for deferred maintenance or the purchase of technology or equipment or to a postsecondary educational institution located in Kansas for deferred maintenance, ... (d) As used in this section: (1) "Community college" means a community college established under the provisions of the community college act; (2) "deferred maintenance" means the maintenance, repair, reconstruction or rehabilitation of a building located at a technical college or a postsecondary educational institution which has been deferred, any utility systems relating to such building, any life-safety upgrades to such building and any improvements necessary to be made to such building in order to comply with the requirements of the Americans with disabilities act or other federal or state law, except that for taxable years commencing after December 31, 2013, deferred maintenance shall not include any maintenance, repair, reconstruction or rehabilitation of any building in which any abortion, as defined in K.S.A. 65-6701 , and amendments thereto, is performed; (full text: https://www.ksrevisor.org/statutes/chapters/ch79/079_032_0261.html)	79-32,264
76	79-32,138	Kansas taxable income of corporations; addition and subtraction modifications.	*see full text	(a) Kansas taxable income of a corporation taxable under this act shall be the corporation's federal taxable income for the taxable year with the modifications specified in this section. ... (iv) for taxable years commencing December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 65-6731 , and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2019 Supp. 40-2,190 , and amendments thereto; (full text: https://www.ksrevisor.org/statutes/chapters/ch79/079_032_0138.html)	79-1109
77	79-3606	Exempt sales.	*See full text	The following shall be exempt from the tax imposed by this act: ... (p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626 , and amendments thereto. As used in this subsection, "drug" means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopeia, official homeopathic pharmacopoeia of the United States or official national formulary, and supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the performance or induction of an abortion, as defined in K.S.A. 65-6701 , and amendments thereto; (full text: https://www.ksrevisor.org/statutes/chapters/ch79/079_036_0006.html)	74-50,115, 74-99b12, 75-5133, 76-3313, 79-2982, 79-3313, 79-3388, 79-3609, 79-3651, 79-3693, 82a-2101

*75 total laws regarding abortion; the count of 77 includes the allowable objection to sterilization procedures in 65-446 and 65-447.