

AMENDMENTS TO LB814

(Amendments to Final Reading copy)

Introduced by Geist, 25.

1           1. Strike original section 8 and insert the following new section:

2           Sec. 8. Upon request in any civil, criminal, or administrative  
3 proceeding or action brought under sections 3 to 7 of this act, the court  
4 shall take every possible measure allowable under the law to protect the  
5 anonymity of any woman upon whom an abortion has been performed or  
6 attempted to be performed and to preserve her identity from public  
7 disclosure. The court shall make a ruling, accompanied by specific  
8 written findings, explaining why the anonymity of the woman should or  
9 should not be preserved from public disclosure. Upon determining that her  
10 anonymity should be preserved, the court shall issue orders to the  
11 parties, witnesses, and counsel and shall direct the sealing of the  
12 record and exclusion of individuals from courtrooms or hearing rooms to  
13 the extent necessary to safeguard her identity from public disclosure.  
14 Each such order shall be accompanied by specific written findings  
15 explaining why the anonymity of the woman should be preserved from public  
16 disclosure, why the order is essential to that end, how the order is  
17 narrowly tailored to serve that interest, and why no less restrictive  
18 alternative exists. In the absence of written consent of the woman upon  
19 whom an abortion is performed or attempted to be performed, any person  
20 other than a public official who brings an action under section 4 or 5 of  
21 this act shall do so under a pseudonym. This section may not be construed  
22 to conceal the identity of the plaintiff or of witnesses from the  
23 defendant or from attorneys for the defendant.

24           2. On page 5, strike lines 25 and 26, and insert the following new  
25 subsection:

26           "(3) A cause of action may not be maintained by a plaintiff whose

1 act of rape caused the pregnancy.".

2 3. On page 6, lines 1 and 2, strike ", if married to the woman at  
3 the time the dismemberment abortion was performed"; and strike lines 6  
4 and 7 and insert the following new subsection:

5 "(2) No damages may be awarded to a plaintiff whose act of rape  
6 caused the pregnancy.".