

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 276

Introduced by Hunt, 8; Cavanaugh, J., 9.

Read first time January 12, 2021

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15 Nebraska, is repealed.