

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2361

Introduced by

Senators Krauter, Erbele, T. Mathern

Representatives Boehm, Hunskor, Lemieux

1 A BILL for an Act to amend and reenact section 14-02.1-02.1 of the North Dakota Century
2 Code, relating to information provided by the state department of health regarding pregnancy,
3 childbirth, and adoption; and to provide an appropriation.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 14-02.1-02.1 of the North Dakota Century Code
6 is amended and reenacted as follows:

7 **14-02.1-02.1. Printed information - Referral service.**

8 1. The state department of health shall ~~cause to be published~~ publish in English, and
9 in every other language that the department determines is the primary language of
10 a significant number of state residents, ~~within one hundred eighty days after July 1,~~
11 ~~1994,~~ the following easily comprehensible printed materials:
12 a. Geographically indexed materials designed to inform the woman of public and
13 private agencies and services available to assist a woman through
14 pregnancy, upon childbirth, and while the child is dependent, including
15 adoption agencies. The materials must include a comprehensive list of the
16 agencies available, a description of the services they offer and a description
17 of the manner, including telephone numbers, in which they might be
18 contacted, or, at the option of the department, printed materials including a
19 toll-free, twenty-four hour a day telephone number that may be called to
20 obtain, orally, such a list and description of agencies in the locality of the
21 caller and of the services they offer. Any information or material distributed
22 under this section must indicate whether an agency listed in the materials
23 provides abortion counseling or referral services or advocates for or performs
24 abortions.

- 1 b. Materials designed to inform the woman of the probable anatomical and
2 physiological characteristics of the fetus at two-week gestational increments
3 from the time when a woman can be known to be pregnant to full term,
4 including any relevant information on the possibility of the survival of the fetus
5 and pictures representing the development of a fetus at two-week gestational
6 increments. The pictures must contain the dimensions of the fetus and must
7 be realistic and appropriate for the stage of pregnancy depicted. The
8 materials must be objective, nonjudgmental, and designed to convey only
9 accurate scientific information about the fetus at the various gestational ages.
- 10 2. The materials required under this section must be reviewed, updated, and if
11 needed, reprinted at least once every four years, must be available at no cost from
12 the state department of health upon request and in appropriate number to any
13 person, facility, or hospital, and must be available on the department's internet
14 website.
- 15 3. The department shall contract with a nonprofit private entity for the establishment
16 and operation of a statewide, toll-free telephone referral service through which a
17 person seeking services to assist a woman through pregnancy, childbirth, or
18 adoption is referred to an appropriate service agency. The department, through
19 the toll-free telephone referral service, may not refer a person to any agency that
20 provides abortion counseling or referral services or advocates for or performs
21 abortions.

22 **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the
23 general fund in the state treasury, not otherwise appropriated, and from special funds derived
24 from federal funds and from other income, the sum of \$39,000, or so much of the sum as may
25 be necessary, to the state department of health for the purpose of contracting with a nonprofit
26 entity for the establishment and operation of a statewide, toll-free telephone referral service
27 through which a person seeking services to assist a woman through pregnancy, childbirth, or
28 adoption is referred to an appropriate service agency.