

By Mr. Constantino of Clinton, petition of William Constantino, Jr., relative to the protection of viable human lives. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT RELATIVE TO PROTECTNG VIABLE HUMAN LIFE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 112 section 12K of the General Laws is
2 hereby amended by adding the following definition: —

3 Viable, the determination by a physician in keeping with good
4 medical practice that the unborn child is capable of surviving in
5 an environment outside the mother's womb. In making the deter-
6 mination, the physician shall perform or cause to be performed
7 such medical examinations and tests that are necessary to
8 determine the gestational age, weight and lung maturity of the
9 unborn child and shall enter such findings in the medical record
10 of the mother.

1 SECTION 2. Chapter 112 section 12L of the General Laws is
2 hereby amended by striking out the words "twenty-four weeks"
3 and inserting in place thereof the words: — "twenty" weeks or if
4 the unborn child is viable, whichever occurs first.

1 SECTION 3. Chapter 112 section 12M of the General Laws
2 is hereby amended by striking out the words "twenty-four" and
3 inserting in place thereof the words: — "twenty" and is further
4 amended by adding after the words, "or more," the following
5 words: — or if the unborn child is viable, whichever event occurs
6 first.

