IC 16-34-4
Chapter 4. Sex Selective and Disability Abortion Ban

IC 16-34-4-1
"Any other disability"
Sec. 1. (a) As used in this chapter, "any other disability" means any disease, defect, or disorder that is genetically inherited. The term includes the following:
   (1) A physical disability.
   (2) A mental or intellectual disability.
   (3) A physical disfigurement.
   (4) Scoliosis.
   (5) Dwarfism.
   (6) Down syndrome.
   (7) Albinism.
   (8) Amelia.
   (9) A physical or mental disease.
(b) The term does not include a lethal fetal anomaly.
As added by P.L.213-2016, SEC.22.

IC 16-34-4-2
"Down syndrome"
Sec. 2. As used in this chapter, "Down syndrome" means a chromosomal disorder associated with an extra chromosome 21 or an effective trisomy for chromosome 21.
As added by P.L.213-2016, SEC.22.

IC 16-34-4-3
"Potential diagnosis"
Sec. 3. As used in this chapter, "potential diagnosis" refers to the presence of some risk factors that indicate that a health problem may occur.
As added by P.L.213-2016, SEC.22.

IC 16-34-4-4
"Sex selective abortion"
Sec. 4. As used in this chapter, "sex selective abortion" means an abortion that is performed solely because of the sex of the fetus.
As added by P.L.213-2016, SEC.22.

IC 16-34-4-5
Sex selective abortion prohibited
Sec. 5. (a) A person may not intentionally perform or attempt to perform an abortion before the earlier of viability of the fetus or twenty (20) weeks of postfertilization age if the person knows that the pregnant woman is seeking a sex selective abortion.
   (b) A person may not intentionally perform or attempt to perform an abortion after viability of the fetus or twenty (20) weeks of
postfertilization age if the person knows that the pregnant woman is seeking a sex selective abortion.

(c) This section is severable as specified in IC 1-1-1-8.

As added by P.L.213-2016, SEC.22.

IC 16-34-4-6
Abortion prohibited if a person knows that the pregnant woman is seeking the abortion solely because the fetus has been diagnosed with Down syndrome or has a potential diagnosis of Down syndrome

Sec. 6. (a) A person may not intentionally perform or attempt to perform an abortion before the earlier of viability of the fetus or twenty (20) weeks of postfertilization age if the person knows that the pregnant woman is seeking the abortion solely because the fetus has been diagnosed with Down syndrome or has a potential diagnosis of Down syndrome.

(b) A person may not intentionally perform or attempt to perform an abortion after viability of the fetus or twenty (20) weeks of postfertilization age if the person knows that the pregnant woman is seeking the abortion solely because the fetus has been diagnosed with Down syndrome or has a potential diagnosis of Down syndrome.

(c) This section is severable as specified in IC 1-1-1-8.

As added by P.L.213-2016, SEC.22.

IC 16-34-4-7
Abortion prohibited if the person knows that the abortion is being sought solely because the fetus has been diagnosed with any other disability or has a potential diagnosis of any other disability

Sec. 7. (a) A person may not intentionally perform or attempt to perform an abortion before the earlier of viability of the fetus or twenty (20) weeks of postfertilization age if the person knows that the pregnant woman is seeking the abortion solely because the fetus has been diagnosed with any other disability or has a potential diagnosis of any other disability.

(b) A person may not intentionally perform or attempt to perform an abortion after viability of the fetus or twenty (20) weeks of postfertilization age if the person knows that the pregnant woman is seeking the abortion solely because the fetus has been diagnosed with any other disability or has a potential diagnosis of any other disability.

(c) This section is severable as specified in IC 1-1-1-8.

As added by P.L.213-2016, SEC.22.

IC 16-34-4-8
Abortion prohibited if the person knows that the abortion is being sought solely because of the race, color, national origin, or ancestry of the fetus

Indiana Code 2016
Sec. 8. (a) A person may not intentionally perform or attempt to perform an abortion before the earlier of viability of the fetus or twenty (20) weeks of postfertilization age if the person knows that the pregnant woman is seeking the abortion solely because of the race, color, national origin, or ancestry of the fetus.

(b) A person may not intentionally perform or attempt to perform an abortion after viability of the fetus or twenty (20) weeks of postfertilization age if the person knows that the pregnant woman is seeking the abortion solely because of the race, color, national origin, or ancestry of the fetus.

(c) This section is severable as specified in IC 1-1-1-8.

As added by P.L.213-2016, SEC.22.

IC 16-34-4-9
Penalties for performing a prohibited abortion; prohibition on prosecuting a woman on whom a prohibited abortion is performed

Sec. 9. (a) A person who knowingly or intentionally performs an abortion in violation of this chapter may be subject to:

(1) disciplinary sanctions under IC 25-1-9; and

(2) civil liability for wrongful death.

(b) A pregnant woman upon whom an abortion is performed in violation of this chapter may not be prosecuted for violating or conspiring to violate this chapter.

As added by P.L.213-2016, SEC.22.