

311.7702 Findings and declarations.

The General Assembly finds and declares, according to contemporary medical research, all of the following:

- (1) As many as thirty percent (30%) of natural pregnancies end in spontaneous miscarriage;
- (2) Less than five percent (5%) of all natural pregnancies end in spontaneous miscarriage after detection of fetal cardiac activity;
- (3) Over ninety percent (90%) of intrauterine pregnancies survive the first trimester if cardiac activity is detected in the gestational sac;
- (4) Nearly ninety percent (90%) of in vitro pregnancies do not survive the first trimester where cardiac activity is not detected in the gestational sac;
- (5) Fetal heartbeat, therefore, has become a key medical predictor that an unborn human individual will reach live birth;
- (6) Cardiac activity begins at a biologically identifiable moment in time, normally when the fetal heart is formed in the gestational sac;
- (7) The Commonwealth of Kentucky has legitimate interests from the outset of the pregnancy in protecting the health of the woman and the life of an unborn human individual who may be born; and
- (8) In order to make an informed choice about whether to continue her pregnancy, the pregnant woman has a legitimate interest in knowing the likelihood of the fetus surviving to full-term birth based upon the presence of cardiac activity.

Effective: March 15, 2019

History: Created 2019 Ky. Acts ch. 20, sec. 2, effective March 15, 2019.