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SENATE BILL 225

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

William E. Sharer

AN ACT

RELATING TO HEALTH CARE; PROHIBITING ABORTION CLINIC STAFF FROM
INTENTIONALLY AND REPEATEDLY CONTACTING PERSONS AGAINST THOSE
PERSONS' WISHES AND WITHOUT REASONABLE JUSTIFICATION; PROVIDING
FOR A PENALTY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**SECTION 1. ABORTION CLINIC STAFF--UNLAWFUL CONTACT--
PENALTY.--**

A. It is unlawful for a licensed health care
professional who performs abortions, or an employee or agent of
a health facility that performs abortions, to intentionally and
repeatedly contact a person against the person's wishes and
without reasonable justification relating to:

(1) the physical or behavioral health care of
that person;

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1 (2) the physical or behavioral health care of
2 that person's immediate family member; or

3 (3) collection of payment for services.

4 B. Any offense set forth in Subsection A of this
5 section committed by use of a telephone or electronic
6 communication shall be deemed to have been committed at either
7 the place where a telephone call or electronic communication
8 originated or at the place where the telephone call or
9 electronic communication was received.

10 C. A person who violates this section is guilty of
11 a misdemeanor.

12 D. For the purposes of this section:

13 (1) "health facility that performs abortions"
14 means a health facility that operates substantially for the
15 purpose of performing abortions or a subdivision of a health
16 facility that operates substantially for the purpose of
17 performing abortions, regardless of whether that health
18 facility or subdivision of a health facility is a separate
19 identifiable legal entity from any other health care facility;
20 and

21 (2) "immediate family member" means a husband,
22 wife, father, stepfather, mother, stepmother, brother,
23 stepbrother, sister, stepsister, son, stepson, daughter,
24 stepdaughter, grandson, stepgrandson, granddaughter,
25 stepgranddaughter, nephew and niece, whether related by natural

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birth or adoption.

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