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*** This document is current through all 2012 legislation passed at the ***
87th Regular Session, including Supreme Court Rule 13-8,
and November 2012 ballot measures
Annotations current through February 6, 2013

TITLE 34. PUBLIC HEALTH AND SAFETY
CHAPTER 34-23A. PERFORMANCE OF ABORTIONS

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S.D. Codified Laws § 34-23A-5 (2013)

§ 34-23A-5. Abortion performed after twenty-four weeks -- Preservation of life or health of mother (For repeal information -- See Editor's note)

An abortion may be performed following the twenty-fourth week of pregnancy by a physician only in a hospital authorized under § 34-23A-4 and only if there is appropriate and reasonable medical judgment that performance of an abortion is necessary to preserve the life or health of the mother.

HISTORY: Source: SL 1973, ch 146, § 2 (3); 2005, ch 187, § 4; 2006.

NOTES:

EDITOR'S NOTE.

This section is repealed pursuant to SL 2005, ch. 187, § 4. Section 7 of SL 2005, ch. 187, as amended by SL 2005, ch. 188, § 1, provides: "This Act is effective on the date that the states are recognized by the United States Supreme Court to have the authority to prohibit abortion at all stages of pregnancy."

This section would have been repealed by SL 2006, ch. 119, § 9, but the repeal was enjoined from implementation. A referendum petition submitted the act to a vote at the general election of November 7, 2006. The 2006 repealing Act was rejected by a vote of 148,648 for and 185,945 against.

LexisNexis 50 State Surveys, Legislation & Regulations

Informed Consent