



Mary Parker
Proponent Testimony on House Bill 598
The Human Life Protection Act
House Government Oversight Committee
May 19, 2022

Chairman Wilkin, Vice-Chair White, Ranking Member Brown, and members of the House Government Oversight Committee, thank you for the opportunity to provide proponent testimony for House Bill 598, the Human Life Protection Act. My name is Mary Parker, and I am the Director of Legislative Affairs for Ohio Right to Life. Today, I speak on behalf of our board members, affiliated chapters, and statewide membership in support of the Human Life Protection Act.

The enactment of the provisions of House Bill 598 is contingent upon one or both of the following events occurring. One would be the issuance of a decision by the United States Supreme Court that restores a state's authority to prohibit abortion and protect all preborn children. The other would be the adoption of an amendment to the United States Constitution that would likewise recognize a state's right to end abortion.

If either of these events should occur, the Human Life Protection Act would end abortion in the state of Ohio. Because it is imperative to ensure that both women and unborn children are provided with the best medical care, the bill includes an affirmative defense for those physicians who, according to their best medical judgment, deem that an abortion is necessary to save the life of the pregnant woman.

The physician must certify in writing why the procedure is necessary and how it is the best means for saving the lives of both the mother and child. The physician must also seek a second opinion from another physician and provide appropriate medical treatment to that child once he or she is delivered.

I would also like to clarify what this bill will not do. This bill does not prohibit contraceptives, emergency contraceptives, nor drugs that can act secondarily as abortifacients. The intended use of these drugs is to prevent pregnancy or cure other diseases. Abortion on the other hand, is the “purposeful termination of a human pregnancy with an intention other than produce a live birth or remove a dead fetus or embryo.” Additionally, the Human Life Protection Act will not deter physicians from treating ectopic pregnancies, since they can either remove the diseased organ or certify that the abortion was deemed medically necessary to save the life of the mother.

Those who would cause or induce illegal abortions, regardless of means, would be subject to criminal penalties. Any person found guilty of causing or inducing an abortion would be guilty of a felony of the fourth degree (Sec. 2904.03). Killing a child after he or she is born alive after a failed abortion would be a first-degree felony (Sec. 2904.05) and promoting abortion would be a first-degree misdemeanor (Sec. 2904.04). These are in keeping with the pre-*Roe* penalties in Ohio.

A woman on whom an abortion would be induced would be immune from prosecution. Instead, a woman on whom an abortion was performed in violation of House Bill 598 “may file a civil action for the wrongful death of her unborn child.” If the woman prevails, she shall receive damages in the amount of \$10,000 or other determined amount as well as court costs and reasonable attorney’s fees.

The Human Life Protection Act has already been enacted in 13 states (AR, ID, KY, LS, MS, MO, ND, OK, SD, TN, TX, UT, and WY) and 6 additional states

continue to have abortion bans that were in place before the *Roe v. Wade* decision (AL, AZ, MI, NM, WV, and WI). With the passage of House Bill 598, Ohio would join this growing trend of states that respect the sanctity of a l l human life.

Ohio is a pro-life state. For decades, Ohioans have recognized that it is necessary to build a culture of life, where women are empowered to choose life. In Ohio, pregnancy centers outnumber abortion facilities fifteen to one. The state budget allocates millions of dollars to help pregnant women and newly parenting families with programs such as the Ohio Parenting and Pregnancy Program, the Fatherhood Initiative, and the Faith-Based and Community Initiatives. Recently, through executive order, Governor Mike DeWine issued another 1.5 million dollars to pregnancy centers. A study has shown that pregnancy centers provide over 15 million dollars in material aid to women, men, and children in Ohio each year.¹ Voters continue to overwhelmingly support elected officials who prioritize pro-life legislation. In Section 9.041 of the Ohio Revised Code, “It is the public policy of the state of Ohio to prefer childbirth over abortion to the extent that is constitutionally permissible.”

With the *Dobbs v. Jackson Women’s Health* case, we have renewed hope that the most fundamental moral question – whether or not all people are entitled to the right to life—will be answered not by nine justices but by individual states and citizens. As Ohioans, we must ask, are the unborn unique persons with the right to draw breath and blossom? Or are unborn children non- persons, humans not worthy of life? We firmly believe that the state legislature of Ohio has the opportunity to answer these pressing questions by affirming that Ohio will be a place where all people are cherished, not only the planned, the privileged, and the perfect. Therefore, I strongly urge you to pass House Bill 598, the Human Life Protection Act.

Thank you for your thoughtful consideration of this piece of legislation, and I

¹ | 2019 Pregnancy Center State Impact Report, Care Net and Charlotte Lozier Institute. \$9,091,568 in medical services, \$4,432,219 in Family Services, and \$1,610,705 in material items.

would be happy to answer any questions from the committee at this time.

