

ASSEMBLY, No. 2910

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 20, 2020

Sponsored by:

Assemblyman PARKER SPACE

District 24 (Morris, Sussex and Warren)

Assemblyman HAROLD "HAL" J. WIRTHS

District 24 (Morris, Sussex and Warren)

SYNOPSIS

Requires women incarcerated in county correctional facilities to cover full cost of abortion.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/24/2020)

1 AN ACT concerning abortions and certain incarcerated women,
2 amending and supplementing P.L.1995, c.254 (C.30:7E-1 et
3 seq.).

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. Section 2 of P.L.1995, c.254 (C.30:7E-2) is amended to read
9 as follows:

10 2. a. An inmate shall be liable for the cost of, and be charged
11 a nominal fee for, any medical care, surgery, dental care,
12 hospitalization or treatment provided to the inmate during the
13 inmate's term of incarceration or detention by the State or a county.
14 If the inmate is incarcerated or detained in a State correctional
15 facility or State contracted half-way house, the amount due and
16 payable and the nominal fees charged under the provisions of this
17 act shall be determined by the State Treasurer in accordance with
18 guidelines promulgated by the commissioner. If the inmate is
19 incarcerated or detained in a county jail, the amount due and
20 payable and the nominal fees charged under the provisions of this
21 act shall be determined by the county treasurer in accordance with
22 guidelines promulgated by the county adjustor; provided, however,
23 if the county in which the inmate is detained has enacted an
24 ordinance or resolution pursuant to section 2 of
25 P.L. , c. (C.) (pending before the Legislature as this bill)
26 then the inmate shall pay all lawful costs associated with any
27 abortion that is not deemed by the treating physician or
28 gynecologist to be necessary to save the life of the woman whose
29 life is endangered by a physical disorder, illness, or injury during
30 the inmate's term of incarceration or detention by the county. As
31 used in this section, "abortion" means the act of using or prescribing
32 any instrument, medicine, drug, or any other substance, device, or
33 means with the intent to terminate the life of an unborn child or
34 with the knowledge that the act is reasonably likely to cause the
35 death of an unborn child.

36 b. An inmate may be charged either the full cost of or a
37 nominal fee for any prescription or nonprescription drug or
38 medicine provided to the inmate during the inmate's term of
39 incarceration or detention by the State or a county. If the inmate is
40 incarcerated or detained in a State correctional facility or State
41 contracted half-way house, the cost or nominal fees charged under
42 the provisions of this act shall be determined by the State Treasurer
43 in accordance with guidelines promulgated by the commissioner. If
44 the inmate is incarcerated or detained in a county jail, the amount
45 due and payable and the nominal fees charged under the provisions

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 of this act shall be determined by the county treasurer in accordance
2 with guidelines promulgated by the county adjustor.

3 (cf: P.L.1995, c.254, s.2)

4
5 2. (New section) Notwithstanding the provisions of any other
6 law to the contrary, the governing body of each county may by
7 ordinance or resolution, as appropriate, require an inmate of the
8 county correctional facility to pay all of the lawful costs associated
9 with any abortion that is not deemed by the treating physician or
10 gynecologist to be necessary to save the life of the woman whose
11 life is endangered by a physical disorder, illness, or injury during
12 the inmate's term of incarceration or detention by the county. As
13 used in this section, "abortion" means the act of using or prescribing
14 any instrument, medicine, drug, or any other substance, device, or
15 means with the intent to terminate the life of an unborn child or
16 with the knowledge that the act is reasonably likely to cause the
17 death of an unborn child.

18
19 3. This act shall take effect immediately.

20
21
22 STATEMENT

23
24 This bill would permit a county to enact an ordinance or
25 resolution requiring an inmate to cover all lawful costs associated
26 with any abortion not deemed necessary to save the life of the
27 woman. Inmates are currently only assessed a nominal fee for
28 medical care and procedures, including abortions.

29 As used in the bill, abortion is the act of using or prescribing any
30 instrument, medicine, drug, or any other substance, device, or
31 means with the intent to terminate the life of an unborn child or
32 with the knowledge that the act is reasonably likely to cause the
33 death of an unborn child.