

# AN INITIATIVE PROHIBITING ABORTION AND MAKING ITS PERFORMANCE OR PROCUREMENT MURDER OF THE FIRST DEGREE

An initiative relating to the prohibition of abortion; repealing Chapter 5, Title 18, Idaho Code; repealing Chapter 6, Title 18, Idaho Code; amending Section 18-907, Idaho Code, to repeal an exception from the prohibition of aggravated battery for certain abortion-related conduct and to repeal a reference to Chapter 6, Title 18, Idaho Code; repealing Section 18-4016, Idaho Code; adding new Section to chapter 40, Title 18, Idaho Code, to define the terms unborn human being, conception and abortion, to make unlawful the performance, procurement, or attempt to perform an abortion, and to provide that any person performing or procuring an abortion is guilty of murder in the first degree.

THIS COVER SHEET TO BE PRINTED AND PROVIDED WITH ALL PETITIONS CIRCULATED FOR SIGNATURES. Please staple all of these 4 pages together for each collection of 12 signatures on the signature page.

Petition circulators must be at least 18 years of age AND Idaho residents. When gathering signatures, you must be a witness to each person signing. Ask people who want to sign the petition if they are an Idaho registered voter because ALL petition signers must be residents of Idaho and registered to vote in Idaho (qualified elector) and must use their address where they are registered.

Each signature page must contain signatures from only one county. 12 signers per petition signature page. If you are collecting signatures from multiple counties, please keep a separate signature 4 page packet for each county.

Petition Circulator: Once each 12 signature petition page is filled, please sign and complete the notarized portion of the signature page in front of a notary public, have it notarized, and then mail the entire 4 pages – 1) this cover, 2&3) the 2 pages with the initiative language, 4) the signed and notarized signatures page, immediately to:

Abolish Abortion Idaho  
PO Box 948  
Sagle, ID 83860

If you have questions, please call (208) 398-0114 or email [contact16@abolishabortionid.com](mailto:contact16@abolishabortionid.com):

Each petition must contain signatures from only one county. Please specify the county for this packet here:

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## WARNING

It is a felony for anyone to sign any initiative or referendum petition with any name other than his own, or to knowingly sign his name more than once for the measure, or to sign such petition when he is not a qualified elector.

### INITIATIVE PETITION

To the Honorable Lawrence Denney, Secretary of State of the State of Idaho:

We, the undersigned citizens and qualified electors of the State of Idaho, respectfully demand that the following proposed law, to-wit:

SECTION 1. That Chapter 5, Title 18, Idaho Code, be, and the same is hereby repealed.

SECTION 2. That Chapter 6, Title 18, Idaho Code, be, and the same is hereby repealed.

SECTION 3. That Section 18-907, Idaho Code, be, and the same is hereby amended to read as follows:

18-907. AGGRAVATED BATTERY DEFINED. (1) A person commits aggravated battery who, in committing battery:

- (a) Causes great bodily harm, permanent disability or permanent disfigurement; or
- (b) Uses a deadly weapon or instrument; or
- (c) Uses any vitriol, corrosive acid, or a caustic chemical of any nature; or
- (d) Uses any poison or other noxious or destructive substance or liquid; or
- (e) Upon the person of a pregnant female, causes great bodily harm, permanent disability or permanent disfigurement to an embryo or fetus.

(2) For purposes of this section the terms "embryo" or "fetus" shall mean any human in utero.

~~(3) There shall be no prosecution under subsection (1)(e) of this section:~~

- ~~(a) Of any person for conduct relating to an abortion for which the consent of the pregnant female, or person authorized by law to act on her behalf, has been obtained or for which such consent is implied by law.~~
- ~~(b) Of any person for any medical treatment of the pregnant female or her embryo or fetus;~~
- ~~or~~
- ~~(c) Of any female with respect to her embryo or fetus.~~

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~~(4) Nothing in this chapter is intended to amend or nullify the provisions of chapter 6, title 18, Idaho Code.~~

SECTION 4. That Section 18-4016, Idaho Code, be, and the same is hereby repealed.

SECTION 5. That Chapter 40, Title 18, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 18-4018, Idaho Code, and to read as follows:

18-4018. DEFINITION OF UNBORN HUMAN BEING – PROVIDING FOR THE PROSECUTION OF CERTAIN PERSONS. (1) For purposes of this chapter (a) "unborn human being" shall mean the offspring of human beings from the moment of conception until either live birth or death, including the human conceptus, zygote, morula, blastocyst, embryo and fetus, whether conceived and/or located inside or outside the body of a human female;

(b) "Conception" means the fertilization of the ovum of a female individual by the sperm of a male individual;

(c) "Abortion" means the use or prescription of any instrument, medicine, drug, or any other substance or device to intentionally kill an unborn human being;

(2) It shall be unlawful for any person to perform, procure, or attempt to perform an abortion.

(3) Any person who performs or procures an abortion shall be guilty of murder of the first degree.

Shall be submitted to the qualified electors of the State of Idaho, for their approval or rejection at the regular general election, to be held on the 6th day of November, A.D., 2018, and each for himself says: I have personally signed this petition; I am a qualified elector of the State of Idaho; my residence is correctly written after my name.

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ALL signatures on this sheet from \_\_\_\_\_ county only.

#	Signature	Printed Name	Residence Street and Number	City	Date	Legislative District (official use only)
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						

State of Idaho )  
 )ss.  
 County of \_\_\_\_\_ )

I, \_\_\_\_\_, swear or affirm: That I am a resident of the State of Idaho and at least eighteen (18) years of age: that every person who signed this sheet of the foregoing petition signed his or her name thereto in my presence: I believe that each has stated his or her name, address and residence correctly, that each signer is a qualified elector of the State of Idaho, and a resident of the county of \_\_\_\_\_.

Signed: \_\_\_\_\_  
 Address: \_\_\_\_\_, \_\_\_\_\_, Idaho, \_\_\_\_\_

Subscribed and sworn/affirmed to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_  
 (Notary Seal) Notary Public: \_\_\_\_\_  
 Residing at: \_\_\_\_\_  
 Commission Expires: \_\_\_\_\_

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