WEST virginia legislature

2023 regular session

ENROLLED

Committee Substitute

for

Senate Bill 552

By Senators Rucker, Taylor, Karnes, Phillips, Grady, Smith, Maynard, Martin, Azinger, Woodrum, Roberts, Deeds, Oliverio, Swope, Stuart, Tarr, Barrett, Hunt, Chapman, Queen, and Stover

[Passed March 11, 2023; in effect from passage]

AN ACT to amend and reenact §16-2R-9 of the Code of West Virginia, 1931, as amended, relating to abortion; and revising severability clauses.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2R. UNBORN CHILD PROTECTION ACT.

§16-2R-9. Severability.

Severability as provided in §2-2-10(b)(7) of this code is applicable to this article: *Provided*, That if this entire article is judicially determined to be unconstitutional, then the provisions of §16-2F-1 *et seq.,* §16-2I-1 *et seq.,* 16-2M-1 *et seq.,* §16-2O-1, §16-2P-1, §16-2Q-1, and §33-42-8 of this code shall become immediately effective: *Provided, however,* That if a provision or provisions of §16-2R-1 *et seq.* of this code are judicially determined to be unconstitutional, then the provisions of §16-2F-9, §16-2I-9, §16-2M-7, §16-2O-1(e), §16-2P-1(d), §16-2Q-1(m), and §33-42-8(d) of this code are not effective.