

# **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]

1 AN ACT to amend and reenact §16-2R-9 of the Code of West Virginia, 1931, as amended, relating  
2 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.**

1 Severability as provided in §2-2-10(b)(7) of this code is applicable to this article: *Provided,*  
2 That if this entire article is judicially determined to be unconstitutional, then the provisions of §16-  
3 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  
4 this code shall become immediately effective: *Provided, however,* That if a provision or provisions  
5 of §16-2R-1 *et seq.* of this code are judicially determined to be unconstitutional, then the  
6 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-  
7 8(d) of this code are not effective.