

Southern Utah legislator still has concerns about bill that would stop abortions based on Down syndrome

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ST. GEORGE — A Southern Utah legislator still has questions he would like addressed before saying he'd fully support a controversial bill that would ban abortions based on Down syndrome.

Rep. V. Lowry Snow, R-St. George, said he still has questions he'd like addressed before fully supporting a bill that would ban abortions based on Down syndrome. Snow is the vice chair of the House Judiciary Committee who heard arguments about the bill at the committee meeting Jan. 26, 2018 | Profile photo via [utah.gov](#), St. George News

The bill proposes to prohibit women from seeking an abortion because their unborn child has, or may have, Down syndrome. If passed, anyone performing such an abortion who had knowledge of the woman's motivation would be guilty of a class A misdemeanor. The woman on whom such an abortion was performed, however, could not be prosecuted for violating the law.

Designated HB 205, the bill seeking to pass the Down Syndrome Nondiscrimination Abortion Act is sponsored by Rep. Karianne Lisonbee, R-Clearfield. After some amendments made in the House Judiciary Committee, it received the committee's favorable recommendation Jan. 26 with an 8-3 vote, 1 not voting. From there the bill moved to the House floor and is currently on the third reading calendar, the final phase of the House process before final vote.

Rep. V. Lowry Snow, R-St. George, is the vice chair of the House Judiciary Committee and mediated the arguments for and against the bill in the committee meeting.

"I don't try to hide the fact that I'm pro-life," Snow said. "But this bill has issues on the other side, particularly for parents who have to make these difficult decisions when they know their child will be born suffering from (Down syndrome)."

Snow voted favorably for the bill in the committee meeting, but he said one of the questions he'd like to have answered before he votes on the bill in the House is what effort is being done right now to educate parents who learn they may be carrying a child suffering from Down syndrome. Currently, there is no law that prohibits women from seeking abortions if their unborn baby may be suffering from a disability.

Rep. Karianne Lisonbee, R-Clearfield, Utah, circa 2018 | Legislator profile photo via [house.utah.gov](#), St. George News

This bill's purpose is to help curb one of the biggest forms of discrimination worldwide, Lisonbee said.

"Many Utah families have told me when they find out their baby may be diagnosed with Down syndrome, the conversation that comes first is about termination," Lisonbee said. "The

eradication signals an eugenic-like discrimination that is happening with greater frequency worldwide and here in Utah This bill will be Utah's message to the world that we won't tolerate this kind of discrimination."

Snow said he's concerned about some of the issues that some against the bill raised at the committee meeting.

"A lot of the discussion and debate that was happening at the committee raised a lot of questions in my own mind, so I will be studying those issues between now and the time it comes on the House floor for a vote," Snow said.

At the committee meeting, so many people came to voice their opinion on the topic of abortions for babies with Down syndrome that they were all only given two minutes each to speak.

One woman with Down syndrome even sang about how she's just like everyone else and how people with Down syndrome shouldn't be treated any differently than others. Others spoke out about how they think the bill would be harmful.

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"I should not have to come here and made to feel like a murderer for a decision that I may have to make for myself," said Psarah Johnson, representative for the Utah Disability Advisory Council.

A representative for the American Civil Liberties Union of Utah also said there would be legal action taken to protect a woman's right to an abortion if this bill is passed.

"We believe this bill stands in the way of a woman seeking an abortion while doing nothing to seriously address discrimination against those with disabilities," said Marina Lowe, legislative and policy counsel for the ACLU of Utah. "Make no mistake, there will be legal action here if the state of Utah chooses to go down this path."

Attorneys with the state's Office of Legislative Research and Counsel analyzed the bill, concluding there is a "high probability" the law, if passed, would not withstand a legal challenge. In their conclusion, counsel opined a court following current case law, *Roe v. Wade* and its progeny, would find the law unconstitutional for violating current case law.

The discussion around this bill is important because it gives value to people with Down syndrome, Snow said.

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"We make an effort in our society and culture to normalize the lives of these individuals," Snow said. "And while this bill isn't about that specifically, it does raise an awareness about the sanctity of all life."

Resources

- Read full text of the bill: [2018 Utah HB 205: Down syndrome nondiscrimination abortion act](#)
- Contact legislators
- Bill sponsor for the Down Syndrome Nondiscrimination Abortion Act: [Rep. Karianne Lisonbee](#) | Senate floor sponsor: [Sen. Curtis S. Bramble](#)
- Southern Utah Senators: [Evan Vickers](#), [Don Ipson](#), [David Hinkins](#) and [Ralph Okerlund](#) | [Listing of all senators.](#)
- Southern Utah Representatives: [Jon Stanard](#), [Bradley Last](#), [V. Lowry Snow](#), [Walt Brooks](#), [John Westwood](#), [Merrill Nelson](#) and [Michael Noel](#) | [Listing of all members of the House of Representatives.](#)