

1 State of Arkansas  
2 95th General Assembly  
3 Regular Session, 2025  
4  
5 By: Representative Long  
6  
7

# A Bill

HOUSE BILL 1678

## For An Act To Be Entitled

9 AN ACT TO AMEND THE ABORTION-INDUCING DRUGS SAFETY  
10 ACT TO INCREASE THE CRIMINAL PENALTIES AND CLARIFY  
11 THE CIVIL PENALTIES; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

15 TO AMEND THE ABORTION-INDUCING DRUGS  
16 SAFETY ACT TO INCREASE THE CRIMINAL  
17 PENALTIES AND CLARIFY THE CIVIL  
18 PENALTIES.  
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. Arkansas Code § 20-16-1506(a), concerning the criminal  
23 penalties under the Abortion-Inducing Drugs Safety Act, is amended to read as  
24 follows:

25 (a) A person who intentionally, knowingly, or recklessly violates a  
26 provision of this subchapter is guilty of a ~~Class A misdemeanor~~ Class D  
27 felony.  
28

29 SECTION 2. Arkansas Code § 20-16-1506, concerning criminal penalties  
30 for a violation of the Abortion-Inducing Drugs Safety Act, is amended to add  
31 an additional subsection to read as follows:

32 (c) A licensed healthcare provider, pharmacist, or other individual or  
33 entity that prescribes, authorizes, or approves the sale or delivery of  
34 abortion-inducing drugs in violation of this subchapter is guilty of a Class  
35 D felony and shall be fined fifty thousand dollars (\$50,000) per violation.  
36



1 SECTION 3. Arkansas Code § 20-16-1507 is amended to read as follows:  
2 20-16-1507. Civil remedies and professional sanctions.

3 (a) In addition to whatever remedies are available under the common or  
4 statutory law of this state, failure to comply with the requirements of this  
5 subchapter shall provide a basis for:

6 (1) A civil malpractice action for actual and punitive damages;

7 (2) A professional disciplinary action under § 16-114-201 et  
8 seq.; and

9 (3) Recovery for the woman's survivors for the wrongful death of  
10 the woman under § 16-62-102.

11 (b) A woman upon whom a drug-induced abortion has been performed or  
12 attempted in violation of this subchapter or the father of the unborn child  
13 who was the subject of the drug-induced abortion performed or attempted in  
14 violation of this subchapter may bring an action for actual and punitive  
15 damages against the person or entity that purposely, knowingly, or recklessly  
16 violates this subchapter.

17 (c) A cause of action for injunctive relief against a person or entity  
18 that has purposely, knowingly, or recklessly violated this subchapter may be  
19 maintained by:

20 (A) The woman upon whom a drug-induced abortion was  
21 performed or induced or attempted to be performed or induced;

22 (B) The father of the unborn child who was the subject of  
23 the drug-induced abortion or attempted drug-induced abortion;

24 (C) A person who is the spouse, parent, or guardian of the  
25 woman upon whom a drug-induced abortion has been performed or induced or  
26 attempted to be performed or induced;

27 (D) A prosecuting attorney with appropriate jurisdiction;  
28 or

29 (E) The Attorney General.

30 (d) A violation of this subchapter is a deceptive and unconscionable  
31 trade practice under the Deceptive Trade Practices Act, § 4-88-101 et seq.,  
32 and is subject to the enforcement provisions of the Deceptive Trade Practices  
33 Act, § 4-88-101 et seq.

34 (e) A civil liability may not be assessed against the pregnant woman  
35 upon whom the drug-induced abortion is performed.

36 ~~(e)~~(f) When requested, the court shall allow a woman to proceed using

1 solely her initials or a pseudonym and may close any proceedings in the case  
2 and enter other protective orders to preserve the privacy of the woman upon  
3 whom the drug-induced abortion was performed.

4 ~~(d)~~(g) If judgment is rendered in favor of the plaintiff, the court  
5 shall also render judgment for a reasonable attorney's fee in favor of the  
6 plaintiff against the defendant.

7 ~~(e) If judgment is rendered in favor of the defendant and the court  
8 finds that the plaintiff's suit was frivolous and brought in bad faith, the  
9 court shall also render judgment for a reasonable attorney's fee in favor of  
10 the defendant against the plaintiff.~~

11 ~~(f)~~(h) Upon a finding of the Arkansas State Medical Board that a  
12 physician failed to comply with the requirements of this subchapter, the  
13 board shall revoke the physician's medical license.

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36