

*(e) Any person who violates any provision of this section, upon conviction, is subject to a fine of not less than one hundred dollars or more than five thousand dollars for each offense, or to imprisonment for not less than one year or more than three years, or both such fine and imprisonment. The penalties in this section are in addition to and not in substitution for any other penalty or penalties applicable to particular classes of persons under other laws of this State.*

149E.

(A) NO PERSON SHALL TERMINATE OR ATTEMPT TO TERMINATE OR ASSIST IN THE TERMINATION OR ATTEMPT AT TERMINATION OF A HUMAN PREGNANCY OTHERWISE THAN BY BIRTH, EXCEPT THAT A PHYSICIAN LICENSED BY THE STATE OF MARYLAND MAY TERMINATE A HUMAN PREGNANCY OR AID OR ASSIST OR ATTEMPT A TERMINATION OF A HUMAN PREGNANCY IF SAID TERMINATION TAKES PLACE IN A HOSPITAL ACCREDITED BY THE JOINT COMMISSION FOR ACCREDITATION OF HOSPITALS AND LICENSED BY THE STATE BOARD OF HEALTH AND MENTAL HYGIENE AND IF ONE OR MORE OF THE FOLLOWING CONDITIONS EXIST:

- (1) CONTINUATION OF THE PREGNANCY IS LIKELY TO RESULT IN THE DEATH OF THE MOTHER;
- (2) THERE IS A SUBSTANTIAL RISK THAT CONTINUATION OF THE PREGNANCY WOULD GRAVELY IMPAIR THE PHYSICAL OR MENTAL HEALTH OF THE MOTHER;
- (3) THERE IS SUBSTANTIAL RISK OF THE BIRTH OF THE CHILD WITH GRAVE AND PERMANENT PHYSICAL DEFORMITY OR MENTAL RETARDATION;
- (4) THE PREGNANCY RESULTED FROM A RAPE COMMITTED AS A RESULT OF FORCE OR BODILY HARM OR THREAT OF FORCE OR BODILY HARM AND THE STATES' ATTORNEY OF BALTIMORE CITY OR THE COUNTY IN WHICH THE RAPE OCCURRED HAS INFORMED THE HOSPITAL ABORTION REVIEW AUTHORITY IN WRITING OVER HIS SIGNATURE THAT THERE IS PROBABLE CAUSE TO BELIEVE THAT THE ALLEGED RAPE DID OCCUR.

(B) IN NO EVENT SHALL ANY PHYSICIAN TERMINATE OR ATTEMPT TO TERMINATE OR ASSIST IN THE TERMINATION OR ATTEMPT AT TERMINATION OF A HUMAN PREGNANCY OTHERWISE THAN BY BIRTH UNLESS ALL OF THE FOLLOWING CONDITIONS EXIST:

- (1) NOT MORE THAN TWENTY-SIX WEEKS OF GESTATION HAVE PASSED (EXCEPT IN THE CASE OF A TERMINATION PURSUANT TO SUBSECTION (A)(1) OR WHERE THE FETUS IS DEAD); AND
- (2) AUTHORIZATION THEREFOR HAS BEEN GRANTED IN WRITING BY A HOSPITAL ABORTION REVIEW AUTHORITY APPOINTED BY THE HOSPITAL.