

## 2023 Kansas Statutes

**65-6756. Cause of action for violation of act; limitations; damages.** (a) The woman upon whom the abortion or attempted abortion was performed, the father of the child born alive and, if the woman has not attained 18 years of age at the time the abortion or attempted abortion is performed, the parents or custodial guardian of the woman upon whom the abortion or attempted abortion was performed may bring a civil action for any violation of K.S.A. 2023 Supp. 65-6754, and amendments thereto, to obtain appropriate relief.

(b) Any person who is not the woman upon whom the abortion or attempted abortion was performed shall be barred from bringing any action under this section if the pregnancy resulted from such person's criminal conduct.

(c) The prevailing party in any action brought under this section may be awarded reasonable attorney fees, except that if the prevailing party is the defendant, then the court shall find that the plaintiff's action was frivolous and brought in bad faith before the court and may award attorney fees to such defendant.

**History:** L. 2023, ch. 85, § 6; July 1.