

Session 109 - (1991-1992)

H 3652 General Bill, By D.M. Beasley, H. Brown, D.M. Bruce, Cooper, K.S. Corbett, Fair, J.G. Felder, Haskins, Hayes, Keegan, J.R. Klapman, Koon, Littlejohn, C.V. Marchbanks, W.S. McCain, Quinn, Sharpe, C.L. Sturkie, Vaughn, C.C. Wells, D.A. Wright and R.M. Young

A Bill to enact the "Human Life Protection Act"; to amend Section 44-41-10, as amended, Code of Laws of South Carolina, 1976, relating to definitions under the State's abortion law, so as to define "unborn child"; to amend the 1976 Code by adding Section 44-41-25 so as to prohibit an abortion unless the attending physician reasonably determines, in his or her medical judgment, that the pregnant woman's life would be endangered if the unborn child were carried to term and records the basis for that medical judgment; to amend Section 44-41-80, relating to performing or soliciting an unlawful abortion, penalties, and compelling the testimony of a woman upon whom an abortion has been performed or attempted in violation of Chapter 41 of Title 44, so as to increase the penalty for performing an unlawful abortion and delete the provisions of law that a woman who solicits of any person or otherwise procures any drug, medicine, prescription, or substance and administers it to herself or who submits to any operation or procedure or who uses or employs any device or instrument or other means with intent to produce an abortion, unless it is necessary to preserve her life, is guilty of a misdemeanor and must be punished by imprisonment for not more than two years or fined not more than one thousand dollars, or both; to provide for the severability of the provisions, words, phrases, and clauses of this Act; to provide that, if any provision of this Act is at any time temporarily or permanently restrained or enjoined by judicial order or declared unconstitutional, Sections 44-41-10, 44-41-30, 44-41-31, 44-41-32, 44-41-33, 44-41-34, 44-41-35, 44-41-36, and 44-41-37, relating to definitions, consent requirements, and abortions regarding minors and related provisions, shall have full force and effect, and provide that, if any such temporary or permanent restraining order or injunction is ever stayed or dissolved, or such declaration of unconstitutionality is ever reversed or otherwise ceases to have effect, the provisions of this Act shall have full force and effect without regard to Sections 44-41-30, 44-41-31, 44-41-32, 44-41-33, 44-41-34, 44-41-35, 44-41-36, and 44-41-37, which, in that case, are repealed and replaced by the provisions of this Act; and to repeal Section 44-41-20, relating to legal abortions in South Carolina.

03/06/91 House Introduced and read first time HJ-14

03/06/91 House Referred to Committee on Judiciary HJ-15

02/18/92 House Tabled in committee