

Session 126 - (2025-2026)

S 1095 General Bill, By Cash, Verdin, Fernandez, Kennedy, Garrett and Rice

Similar (S 0323)

Summary: Prohibit Abortions

A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "UNBORN CHILD PROTECTION ACT"; BY AMENDING SECTION 44-41-610, RELATING TO DEFINITIONS CONCERNING ABORTIONS, SO AS TO PROVIDE DEFINITIONS CONCERNING ABORTIONS; BY ADDING SECTION 44-41-611; TO PROVIDE THAT IT IS UNLAWFUL TO KNOWINGLY AND INTENTIONALLY USE OR EMPLOY ANY INSTRUMENT, DEVICE, MEANS, OR PROCEDURE UPON A PREGNANT WOMAN WITH THE SPECIFIC INTENT OF CAUSING AN ABORTION, AND TO PROVIDE PENALTIES; BY ADDING SECTION 44-41-612, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON TO KNOWINGLY AND INTENTIONALLY ADMINISTER TO, PRESCRIBE FOR, DELIVER TO, PROVIDE TO, OR SELL AN ABORTION-INDUCING DRUG TO A PREGNANT WOMAN WITH THE INTENT TO CAUSE AN UNLAWFUL ABORTION, TO PROVIDE THAT IT IS UNLAWFUL FOR A WOMAN TO SELF-INDUCE AN ABORTION USING AN ABORTION-INDUCING DRUG, AND TO PROVIDE PENALTIES; BY ADDING SECTION 44-41-613, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON TO KNOWINGLY AND INTENTIONALLY ENGAGE IN THE USE OF AN ABORTION-INDUCING DRUG ON A PREGNANT WOMAN, WITHOUT HER KNOWLEDGE OR CONSENT, WITH THE INTENT TO CAUSE AN ABORTION, AND TO PROVIDE PENALTIES; BY ADDING SECTION 44-41-614, TO PROVIDE THAT IT IS UNLAWFUL TO POSSESS, MANUFACTURE, MAIL, DISTRIBUTE, TRANSPORT, DELIVER, OR PROVIDE AN ABORTION-INDUCING DRUG; OR AID OR ABET THE PERFORMANCE, INDUCTION, OR ATTEMPTED ABORTION, OR THE MANUFACTURE, MAILING, DISTRIBUTION, TRANSPORTATION, DELIVERY, OR PROVISION OF AN ABORTION-INDUCING DRUG, TO PROVIDE THAT IT IS UNLAWFUL TO SOLICIT OR PROVIDE FUNDING ASSISTANCE TO UNLAWFULLY DELIVER, DISPENSE, DISTRIBUTE, OR PROVIDE AN ABORTION-INDUCING DRUG TO A PREGNANT WOMAN, AND TO PROVIDE PENALTIES; BY ADDING SECTION 44-41-615, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO KNOWINGLY OR INTENTIONALLY USE FORCE, OR THE THREAT OF FORCE, TO INJURE OR INTIMIDATE A PREGNANT WOMAN FOR THE PURPOSE OF COERCING AN ABORTION; OR TO RECRUIT, HARBOR, OR TRANSPORT AN UNEMANCIPATED PREGNANT MINOR WHO RESIDES IN THIS STATE TO ANOTHER STATE TO PROCURE AN ABORTION OR TO OBTAIN AN ABORTION-INDUCING DRUG WITHOUT THE CONSENT OF THE PREGNANT MINOR'S PARENTS OR LEGAL GUARDIAN, AND TO PROVIDE PENALTIES; BY ADDING SECTION 44-41-616, SO AS TO PROVIDE THAT MEDICAL TREATMENT PROVIDED TO A PREGNANT WOMAN BY A PHYSICIAN OR OTHER LICENSED MEDICAL PROFESSIONAL THAT RESULTS IN THE ACCIDENTAL DEATH OR UNINTENTIONAL INJURY TO AN UNBORN CHILD IS NOT A VIOLATION OF SECTION 44-41-611 THROUGH 44-41-615; BY ADDING SECTION 44-41-617, SO AS TO PROVIDE DEFENSES FOR A PREGNANT WOMAN ACCUSED OF HAVING AN ABORTION; BY AMENDING SECTION 44-41-620, RELATING TO A PREGNANT WOMAN PROVIDING VOLUNTARY AND INFORMED WRITTEN CONSENT FOR AN ABORTION, SO AS TO PROVIDE THAT CONSENT MAY ONLY BE GIVEN FOR LEGAL ABORTIONS; BY AMENDING SECTION 44-41-630, RELATING TO OBSTETRIC ULTRASOUNDS PRIOR TO ABORTIONS, DISPLAYING ULTRASOUND IMAGES, AND RECORDING WRITTEN MEDICAL DESCRIPTION OF IMAGES OF FETAL HEARTBEAT, SO AS TO PROVIDE THAT THOSE REQUIREMENTS ONLY APPLY TO LEGAL ABORTIONS; BY AMENDING SECTION 44-41-640, RELATING TO EXCEPTIONS TO THE PROHIBITION ON ABORTIONS FOR MEDICAL EMERGENCIES OR TO PREVENT THE DEATH OF THE PREGNANT WOMAN, SO AS TO MAKE TECHNICAL, CONFORMING CHANGES; BY AMENDING SECTION 44-41-650, RELATING TO EXCEPTIONS TO THE PROHIBITION ON ABORTION FOR RAPE AND INCEST, SO AS TO DELETE THE EXCEPTIONS FOR RAPE AND INCEST, AND TO PROVIDE FOR CIVIL ACTIONS FOR VIOLATIONS OF THE ARTICLE; BY AMENDING SECTION 44-41-660, RELATING TO THE EXCEPTION TO THE PROHIBITION ON ABORTION FOR FATAL FETAL ANOMALY, SO AS TO DELETE THE EXCEPTION FOR FATAL FETAL ANOMALY AND TO PROVIDE FOR CRIMINAL PROSECUTIONS FOR VIOLATIONS OF THE ARTICLE; BY AMENDING SECTION 44-41-670, RELATING TO THE PROHIBITION OF CRIMINAL PROSECUTION OF PREGNANT WOMEN, SO AS TO PROVIDE FOR ACTIVITIES THAT DO NOT GIVE RISE TO CIVIL OR CRIMINAL LIABILITY; BY AMENDING SECTION 44-41-680, RELATING TO CIVIL ACTIONS FOR VIOLATIONS OF THE ARTICLE, SO AS TO PROVIDE FOR A CAUSE OF ACTION FOR PEOPLE WHO ENGAGE IN A PATTERN OF PROHIBITED ABORTION ACTIVITY; BY AMENDING SECTION 44-41-690, RELATING TO PENALTIES FOR UNPROFESSIONAL CONDUCT BY PHYSICIANS OR ANY OTHER PROFESSIONALLY LICENSED PERSON, SO AS TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH A PHYSICIAN OR ANY OTHER PROFESSIONALLY LICENSED PERSON MAY HAVE THEIR LICENSE SUSPENDED; BY ADDING SECTION 44-6-75 SO AS TO EXCLUDE ABORTION PROVIDERS AND AFFILIATED PHYSICIANS OR PROFESSIONAL MEDICAL PRACTICES FROM MEDICAID FAMILY PLANNING SERVICES; BY ADDING SECTION

15-51-15 SO AS TO ESTABLISH A WRONGFUL DEATH CLAIM FOR A WOMAN UPON WHOM AN UNLAWFUL ABORTION IS PERFORMED OR INDUCED; BY AMENDING SECTION 59-32-30, RELATING TO LOCAL SCHOOL BOARDS IMPLEMENTING COMPREHENSIVE HEALTH EDUCATION PROGRAMS SO AS TO PROVIDE FOR SPECIFIC INSTRUCTION ON HUMAN GROWTH AND DEVELOPMENT; BY AMENDING SECTION 44-41-37, RELATING TO THE DISCLOSURE OF CONSENT REQUIREMENTS WHEN COUNSELING OR DISCUSSING ABORTION WITH A MINOR, SO AS TO REMOVE REFERENCES TO JUDICIAL BYPASS PROCEDURES FOR OBTAINING AN ABORTION; BY AMENDING SECTION 44-41-60, RELATING TO REPORTING ABORTIONS TO THE DEPARTMENT OF PUBLIC HEALTH, SO AS TO PROVIDE A PENALTY FOR FAILURE TO TIMELY FILE A REPORT; BY AMENDING SECTION 44-41-90, RELATING TO STATE FUNDING OF ABORTIONS THROUGH THE STATE HEALTH INSURANCE PLANS, SO AS TO REMOVE REFERENCES TO EXCEPTIONS TO THE PROHIBITION ON ABORTION DELETED PURSUANT TO THIS ACT; BY AMENDING SECTION 44-53-250, RELATING TO SCHEDULE IV DRUGS SO AS TO ADD MIFEPRISTONE AND MISOPROSTOL TO SCHEDULE IV; BY AMENDING SECTION 38-71-238, RELATING TO ABORTION COVERAGE PROHIBITIONS IN HEALTH INSURANCE, SO AS TO DELETE REFERENCES TO ALLOWABLE COVERAGE FOR EXCEPTIONS TO THE ABORTION PROHIBITION DELETED BY THIS ACT; TO DIRECT THE BOARD OF PHARMACY TO NOTIFY PHARMACISTS IN THIS STATE ABOUT THE PROVISIONS CONTAINED IN THIS ACT; TO DIRECT THE DEPARTMENT OF PUBLIC HEALTH TO NOTIFY HEALTHCARE PRACTITIONERS AND PROVIDERS IN THIS STATE ABOUT THE PROVISIONS IN THIS ACT; AND BY REPEALING SECTIONS 44-41-32, 44-41-33, 44-41-34, AND 14-8-200(B)(7).

04/01/26 Senate Introduced and read first time (Senate Journal-page 11)

04/01/26 Senate Referred to Committee on Medical Affairs (Senate Journal-page 11)

04/07/26 Scrivener's error corrected

04/21/26 Senate Committee report: Favorable with amendment Medical Affairs (Senate Journal-page 7)