

Session 108 - (1989-1990)

H*3122 (Rat #0374, Act #0341 of 1990) General Bill, By Hayes, D.M. Beasley, J.D. Cole, K.S. Corbett, R.S. Corning, Davenport, P.W. Derrick, Fair, J.G. Felder, Haskins, T.E. Huff, J.R. Klapman, Koon, Lanford, Littlejohn, Martin, W.S. McCain, J.T. McElveen, A.C. McGinnis, J. Rama, C.L. Sturkie, C.C. Wells and D.A. Wright

A Bill to amend the Code of Laws of South Carolina, 1976, by adding Sections 44-41-31 through 44-41-37 so as to provide requirements that must be followed before performing an abortion on a minor and to permit a minor to petition the circuit or family court for an order granting her the right to obtain an abortion without the consent required in Section 44-41-31, to provide procedures for the filing of the petition, to require the court to enter a written order stating findings of fact and conclusions of law in support of its decision, to provide that if the father of a child born after the denial of a petition is identified by adjudication he shall share in the expenses of the delivery and rearing of the child as determined by the court, to provide a right of appeal by a minor to the Supreme Court on a decision rendered pursuant to Section 44-41-33, to provide that failure to obtain required consent constitutes *prima facie* evidence of interference with family relations in an appropriate civil action, to provide a penalty for a person who intentionally performs an abortion with knowledge that, or reckless disregard as to whether, the person upon whom the abortion is to be performed is an unemancipated minor, and who intentionally or knowingly fails to conform to any requirement in Sections 44-41-10 through 44-41-36, and to provide that a physician or other professional person or agency counseling or discussing with a minor the question of her obtaining an abortion shall fully inform her of the procedures she must follow under the law to obtain an abortion without the consent required in Section 44-41-31; to amend Section 44-41-10, relating to definitions used regarding the regulation of the performance of an abortion, so as to define "minor", "emancipated minor", and "in loco parentis", and redefine "abortion"; to amend Section 44-41-30, relating to persons from whom consent is required to perform an abortion, so as to provide that consent is required before the performance of an abortion from a pregnant woman in every case and in the case of a minor it must be obtained pursuant to the provisions of Section 44-41-31, provide for the obtaining of consent of a woman who is under adjudication of mental incompetence, and provide for the waiver of consent under certain circumstances; and to amend Section 44-41-60, relating to the reporting of abortions, so as to provide that the form on which the abortion is reported must indicate from whom consent was obtained or circumstances waiving consent.-amended title

01/10/89	House	Introduced and read first time HJ-57
01/10/89	House	Referred to Committee on Judiciary HJ-57
02/07/89	House	Committee report: Favorable with amendment Judiciary HJ-4
02/14/89	House	Debate adjourned until Tuesday, February 21, 1989 HJ-33
02/21/89	House	Debate adjourned until Tuesday, February 28, 1989 HJ-16
02/28/89	House	Debate adjourned until Wednesday, March 1, 1989 HJ-18
03/01/89	House	Objection by Rep. Glover, Fant & McBride HJ-20
04/20/89	House	Objection withdrawn by Rep. Glover HJ-48
04/20/89	House	Objection by Rep. Faber HJ-48
04/20/89	House	Objection withdrawn by Rep. Faber HJ-49
04/20/89	House	Objection by Rep. Corning HJ-49
05/17/89	House	Special order, set for 2:00 p.m. Wed. 5/17/89 (Under H 4070) HJ-26
05/17/89	House	Amended HJ-67
05/17/89	House	Debate interrupted HJ-81
05/18/89	House	Amended HJ-39
05/18/89	House	Read second time HJ-63
05/22/89	House	Read third time and sent to Senate HJ-61
05/23/89	Senate	Introduced and read first time SJ-51
05/23/89	Senate	Referred to Committee on Medical Affairs SJ-51
05/31/89	Senate	Recalled from Committee on Medical Affairs SJ-3
01/30/90	Senate	Special order SJ-28
01/31/90	Senate	Carried over in special order status until Thursday, February 8 SJ-30
02/08/90	Senate	Amended SJ-42
02/08/90	Senate	Read second time SJ-49
02/08/90	Senate	Ordered to third reading with notice of amendments SJ-49
02/08/90	Senate	Special order SJ-49
02/13/90	Senate	Amended SJ-35
02/13/90	Senate	Debate interrupted SJ-48

02/14/90 Senate Amended SJ-10
02/14/90 Senate Read third time and returned to House with amendments SJ-21
02/21/90 House Concurred in Senate amendment and enrolled HJ-53
02/22/90 Ratified R 374
02/28/90 Signed By Governor
02/28/90 Effective date 05/29/90
02/28/90 Act No. 341
02/28/90 See act for exception to or explanation of effective date
03/07/90 Copies available