

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

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| 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 |

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| 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 |