**South Carolina General Assembly**

118th Session, 2009-2010

**H. 3342**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Delleney, Simrill, Nanney, Allison, Clemmons, Erickson, Hamilton, Lucas, Owens, Parker, Pinson, Scott, G.R. Smith, J.R. Smith, Loftis, Duncan, Hiott, Bedingfield, Rice and Vick

Document Path: l:\council\bills\bbm\9089htc09.docx

Companion/Similar bill(s): 398

Introduced in the House on January 27, 2009

Introduced in the Senate on March 3, 2009

Last Amended on May 21, 2009

Currently residing in conference committee

Summary: Humans

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/27/2009 House Introduced and read first time [HJ](file:///h:\HJ%20Archive\2009\01-27-09.docx)‑17

1/27/2009 House Referred to Committee on **Judiciary** [HJ](file:///h:\HJ%20Archive\2009\01-27-09.docx)‑17

2/11/2009 House Committee report: Favorable **Judiciary** [HJ](file:///h:\HJ%20Archive\2009\02-11-09.docx)‑4

2/12/2009 House Member(s) request name added as sponsor: Loftis, Duncan

2/12/2009 Scrivener's error corrected

2/17/2009 House Member(s) request name added as sponsor: Hiott

2/18/2009 House Member(s) request name added as sponsor: Bedingfield, Rice, Vick

2/18/2009 House Requests for debate‑Rep(s). Delleney, GR Smith, Kelly, Sellers, TR Young, King, Owens, JR Smith, DC Smith, Bedingfield, Allison, Wylie, Mack, Clyburn, Kennedy, R Brown, Weeks, and Viers [HJ](file:///h:\HJ%20Archive\2009\02-18-09.docx)‑28

2/24/2009 House Read second time [HJ](file:///h:\HJ%20Archive\2009\02-24-09.docx)‑49

2/24/2009 House Roll call Yeas‑105 Nays‑5 [HJ](file:///h:\HJ%20Archive\2009\02-24-09.docx)‑49

2/26/2009 House Read third time and sent to Senate [HJ](file:///h:\HJ%20Archive\2009\02-26-09.docx)‑18

2/26/2009 House Roll call Yeas‑100 Nays‑8 [HJ](file:///h:\HJ%20Archive\2009\02-26-09.docx)‑18

3/3/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\03-03-09.docx)‑14

3/3/2009 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2009\03-03-09.docx)‑14

3/12/2009 Senate Referred to Subcommittee: Knotts (ch), Hutto, Cleary, Nicholson, Rose, Shoopman

5/13/2009 Senate Committee report: Favorable with amendment **Judiciary** [SJ](file:///h:\SJ%20Archive\2009\05-13-09.docx)‑13

5/14/2009 Senate Committee Amendment Adopted [SJ](file:///h:\SJ%20Archive\2009\05-14-09.docx)‑32

5/14/2009 Senate Read second time [SJ](file:///h:\SJ%20Archive\2009\05-14-09.docx)‑32

5/20/2009 Senate Read third time and returned to House with amendments [SJ](file:///h:\SJ%20Archive\2009\05-20-09.docx)‑61

5/21/2009 House Senate amendment amended [HJ](file:///h:\HJ%20Archive\2009\05-21-09.docx)‑8

5/21/2009 House Returned to Senate with amendments [HJ](file:///h:\HJ%20Archive\2009\05-21-09.docx)‑8

5/21/2009 Senate Non‑concurrence in House amendment [SJ](file:///h:\SJ%20Archive\2009\05-21-09.docx)‑163

5/21/2009 House House insists upon amendment and conference committee appointed Reps. Delleney, Bedingfield and Vick [HJ](file:///h:\HJ%20Archive\2009\05-21-09.docx)‑148

5/21/2009 Senate Conference committee appointed Hutto, Knotts, and Cleary [SJ](file:///h:\SJ%20Archive\2009\05-21-09.docx)‑164

**VERSIONS OF THIS BILL**

[1/27/2009](file:///p:\pprever\2009-10\3342_20090127.docx)

[2/11/2009](file:///p:\pprever\2009-10\3342_20090211.docx)

[2/12/2009](file:///p:\pprever\2009-10\3342_20090212.docx)

[5/13/2009](file:///p:\pprever\2009-10\3342_20090513.docx)

[5/14/2009](file:///p:\pprever\2009-10\3342_20090514.docx)

[5/21/2009](file:///p:\pprever\2009-10\3342_20090521.docx)

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Indicates New Matter

AMENDED--NOT PRINTED IN THE HOUSE

Amt. No. 1 (Doc. Path council\ms\7402ahb09)

May 21, 2009

**H. 3342**

Introduced by Reps. Delleney, Simrill, Nanney, Allison, Clemmons, Erickson, Hamilton, Lucas, Owens, Parker, Pinson, Scott, G.R. Smith, J.R. Smith, Loftis, Duncan, Hiott, Bedingfield, Rice and Vick

S. Printed 5/14/09--S.

Read the first time March 3, 2009.

**A** **BILL**

TO AMEND SECTION 2‑7‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONSTRUCTION OF THE WORDS “PERSON” AND “PARTY” AS THOSE WORDS APPEAR IN THE LAWS OF THIS STATE, SO AS TO PROVIDE FURTHER FOR THE CONSTRUCTION OF “PERSON”, “HUMAN BEING”, “CHILD”, AND “INDIVIDUAL”, SO THAT THEY INCLUDE EVERY INFANT MEMBER OF SPECIES HOMO SAPIENS WHO IS BORN ALIVE AND TO DEFINE “BORN ALIVE”.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 2‑7‑30 of the 1976 Code is amended to read:

“Section 2‑7‑30. (A) The words ‘person’ and ‘party’ and any other word importing the singular number used in any act or joint resolution shall be held to include the plural and to include firms, companies, associations, and corporations and all words in the plural shall apply also to the singular in all cases in which the spirit and intent of the act or joint resolution may require it. All words in an act or joint resolution importing the masculine gender shall apply to females also and words in the feminine gender shall apply to males. And all words importing the present tense shall apply to the future also.

(B)(1) In determining the meaning of any act or joint resolution of the General Assembly or in a regulation promulgated pursuant to Article 1, Chapter 23, Title 1, the words ‘person’, ‘human being’, ‘child’, and ‘individual’, must include every infant member of the species homo sapiens who is born alive at any stage of development.

(2) As used in this subsection, the term ‘born alive’, with respect to a member of the species homo sapiens, means the complete expulsion or extraction from the mother of that member, at any stage of development, who after the expulsion or extraction breathes or has a beating heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, regardless of whether the umbilical cord has been cut, and regardless of whether the expulsion or extraction occurs as a result of natural or induced labor, cesarean section, or induced abortion.

(3) Nothing in this subsection may be construed to affirm, deny, expand, or contract any legal status or legal right applicable to any member of the species homo sapiens at any point before being ‘born alive’ as defined in this subsection.”

SECTION 2. This act takes effect upon approval by the Governor.

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