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Indicates New Matter

COMMITTEE REPORT

March 20, 2014

**S. 204**

Introduced by Senators Bright, Bryant, Verdin, Shealy and Fair

S. Printed 3/20/14--S. [SEC 3/21/14 1:54 PM]

Read the first time January 9, 2013.

**THE COMMITTEE ON MEDICAL AFFAIRS**

To whom was referred a Bill (S. 204) to amend Section 44‑41‑10 of the 1976 Code, relating to definitions concerning abortions, to provide that a licensed physician who performs an abortion must also be board, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

Majority favorable. Minority unfavorable.

HARVEY S. PEELER, JR. C. BRADLEY HUTTO

For Majority. For Minority.

**A** **BILL**

TO AMEND SECTION 44‑41‑10 OF THE 1976 CODE, RELATING TO DEFINITIONS CONCERNING ABORTIONS, TO PROVIDE THAT A LICENSED PHYSICIAN WHO PERFORMS AN ABORTION MUST ALSO BE BOARD CERTIFIED IN OBSTETRICS AND GYNECOLOGY; AND TO AMEND CHAPTER 41, TITLE 44 BY ADDING SECTION 44‑41‑25 TO PROVIDE THAT A PHYSICIAN PERFORMING AN ABORTION OUTSIDE OF A HOSPITAL MUST HAVE ADMITTING AND STAFF PRIVILEGES AT A LOCAL CERTIFIED HOSPITAL.

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

SECTION 1. Section 44‑41‑10(b) of the 1976 Code is amended to read:

“(b) ‘Physician’ means a person licensed to practice medicine in this State who is board certified in obstetrics and gynecology.”

SECTION 2. Chapter 41, Title 44 of the 1976 Code is amended by adding:

“Section 44‑41‑25. Any abortion not performed in a certified hospital may only be performed by the pregnant woman’s attending physician who must have admitting privileges at a local certified hospital and staff privileges to replace on‑staff physicians at the certified hospital.”

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect upon approval by the Governor.

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