**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑17‑475 SO AS TO REQUIRE BIOLOGICAL FATHERS TO PAY FIFTY PERCENT OF THE MOTHER’S PREGNANCY EXPENSES, WITH EXCEPTIONS.

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

SECTION 1. Article 3, Chapter 17, Title 63 of the 1976 Code is amended by adding:

“Section 63‑17‑475. (A)(1) Except as otherwise provided by this section, a biological father of a child has a duty to pay fifty percent of the mother’s pregnancy expenses.

(2) If paternity is disputed, a biological father has no duty under this section until the biological father’s paternity is established. Once paternity is established, the biological father is subject to item (1).

(3) Any portion of a mother’s pregnancy expenses paid by the mother or the biological father reduces that parent’s fifty percent share under item (1). This provision applies regardless of when the mother or biological father pays the pregnancy expenses.

(4) If a pregnant mother undergoes an abortion without the biological father’s consent, the biological father has no duty under this section, unless:

(a) the abortion is necessary to avert the death of the mother; or

(b) the mother was pregnant as a result of rape or incest.

(B) Subsection (A) does not apply if a court apportions pregnancy expenses as part of the award of child support pursuant to Section 63‑17‑470.

(C) Nothing in this section requires a person to separately bill a biological father for pregnancy expenses.

(D) If a person seeks payment for pregnancy expenses under this section by providing documentation of payments, medical expenses, and insurance premiums, the family court shall, after review, order the payment of the expenses.

(E) For purposes of this section, ‘pregnancy expenses’ means an amount equal to the sum of the pregnant woman’s health insurance premiums while pregnant that are not paid by an employer or governmental program and the medical costs related to the pregnancy, incurred after the date of conception and before the pregnancy ends, minus any portion of the sum that the court determines is equitable based on the totality of the circumstances, not including the amount paid by the mother or father of the child.”

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

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