**South Carolina General Assembly**

125th Session, 2023-2024

**S. 683**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Hutto, Matthews and McLeod

Companion/Similar bill(s): 4178

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Introduced in the Senate on March 28, 2023

Currently residing in the Senate Committee on **Medical Affairs**

Summary: Eliminate Penalties For A Pregnant Woman

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/28/2023 Senate Introduced and read first time ([Senate Journal‑page 6](h:\sj\20230328.docx))

3/28/2023 Senate Referred to Committee on **Medical Affairs** ([Senate Journal‑page 6](h:\sj\20230328.docx))

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**VERSIONS OF THIS BILL**

[03/28/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/683_20230328.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44‑41‑80, RELATING TO PENALTIES FOR UNAUTHORIZED ABORTIONS, SO AS TO ELIMINATE PENALTIES PERTAINING TO A PREGNANT WOMAN PROCURING A DRUG OR MEDICINE FOR SELF ADMINISTRATION OR SUBMITTING TO AN OPERATION OR PROCEDURE TO TERMINATE A PREGNANCY.

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

SECTION 1. Section 44‑41‑80 of the S.C. Code is amended to read:

Section 44‑41‑80. (a) Any person, except as permitted by this chapter, who provides, supplies, prescribes or administers any drug, medicine, prescription or substance to any woman or uses or employs any device, instrument or other means upon any woman, with the intent to produce an abortion shall be deemed guilty of a felony and, upon conviction, shall be punished by imprisonment for a term of not less than two nor more than five years or fined not more than five thousand dollars, or both. Provided, that the provisions of this item shall not apply to any woman upon whom an abortion has been attempted or performed.

(b) Except as otherwise permitted by this chapter, any woman who solicits of any person or otherwise procures any drug, medicine, prescription or substance and administers it to herself or who submits to any operation or procedure or who uses or employs any device or instrument or other means with intent to produce an abortion, unless it is necessary to preserve her life, shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by imprisonment for a term of not more than two years or fined not more than one thousand dollars, or both.

(c) Any woman upon whom an abortion has been performed or attempted in violation of the provisions of this chapter may be compelled to testify in any criminal prosecution initiated pursuant to subsection (a) of this section; provided, however, that such testimony shall not be admissible in any civil or criminal action against such woman and she shall be forever immune from any prosecution for having solicited or otherwise procured the performance of the abortion or the attempted performance of the abortion upon her.

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

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