

SB 5821 - DIGEST

Provides that, except in a medical emergency, or except as provided in this act, if a pregnant woman is less than eighteen years of age and not emancipated, or if she has been adjudged an incapacitated person, a physician shall not perform an abortion upon her unless at least forty-eight hours before the abortion, in the case of a woman who is less than eighteen years of age, he or she first notifies one of her parents; or, in the case of a woman who is an incapacitated person, he or she first notifies one of her guardians. In the case of a pregnancy that is the result of incest where the father is a party to the incestuous act, the physician need only notify the pregnant woman's mother or guardian.

Provides that, if both parents have died or are otherwise unavailable to the physician within at least twenty-four hours, notification of the pregnant woman's guardian or guardians is sufficient. If the pregnant woman's parents are divorced, notification of the parent having custody is sufficient. If neither parent nor the guardian is available to the physician within twenty-four hours, notification of any adult person standing in loco parentis is sufficient.