

1 **SHB 1523 - H AMDS 393 ADOPTED 3/15/95**

2 By Representative Patterson and others

3 On page 3, line 1, strike "female"

4 On page 3, line 3, strike "female"

5 On page 3, line 30, after "abortion." insert "Where there is
6 reason to believe that the father of the unborn child is an
7 unemancipated minor or an incompetent, no person shall perform
8 such an abortion unless that person has also given such notice to
9 one parent or to the guardian of the father."

10 On page 5, line 14, after "her" insert "or his"

11 On page 5, line 15, after "pregnant" insert "or is believed
12 to be the father of the unborn child"

13 On page 5, line 17 after "her" insert or "him"

14 On page 5, beginning on line 19 strike everything through
15 "request." on line 20 and insert "The court shall advise the
16 unemancipated minor or incompetent that he or she has a right to
17 court-appointed counsel and shall provide such counsel upon
18 request."

19 On page 5, line 24, after "her" insert "or his"

20 On page 5, line 25, after "her" insert "or his"

21 On page 5, line 37, strike "If" and insert "(a) In the case
22 of a petition by a pregnant minor or incompetent, if"

23 On page 6, line 5, after "(5)" insert "(a)"

24 On page 6, after line 6, insert the following:

25 "(b) In the case of a petition by a unemancipated minor or
26 incompetent father of an unborn child, if the court finds, by
27 clear and convincing evidence, that the petitioner is
28 sufficiently mature or able to deal with the decision by the
29 pregnant unemancipated minor or incompetent regarding having an
30 abortion, the court shall waive the requirement that a parent or
31 the guardian of the petitioner be notified. If the court does

1 not make the finding specified in this subsection or subsection
2 (5)(b) of this section, it shall dismiss the petition."

3 On page 6, line 7, strike "If" and insert "(a) In the case
4 of a petition by a pregnant minor or incompetent, if"

5 On page 6, line 15, after "(4)" insert "(a)"

6 On page 6, after line 16, insert the following:

7 "(b) In the case of a petition by a unemancipated minor or
8 incompetent father of an unborn child, if the court finds, by
9 clear and convincing evidence, that there is evidence of a
10 pattern of physical or sexual abuse by one or both of the parents
11 or by the guardian of the petitioner, or that the notification of
12 a parent or guardian is not in the best interest of the
13 petitioner, the court shall waive the requirement that a parent
14 or the guardian of the petitioner be notified. If the court does
15 not make the finding specified in this subsection or subsection
16 (4)(b) of this section, it shall dismiss the petition."

17 On page 6, line 25, strike "pregnant"

18 On page 6, line 26, strike "pregnant"

EFFECT: Requires 48 hours notice to a parent or guardian of
the father of the unborn child if the father is also an
unemancipated minor or incompetent. Allows the father to
petition a court for a judicial bypass of the notice
requirement.