

1 6290-S AMS PATT S4905.1

2 SSB 6290 - S AMD TO S AMD (S4813.2) - 694  
3 By Senator Patterson

4 PULLED 2/16/98

5 On page 3, line 26 of the amendment, after "abortion." insert the  
6 following:

7 "Where there is a reason to believe the male who participated in  
8 creating the pregnancy is an unemancipated minor or an incompetent  
9 person, no person may perform an abortion until forty-eight hours  
10 actual notification has been given the custodial parent or guardian of  
11 the male."

12 SSB 6290 - S AMD TO S AMD (S4813.2) - 694  
13 By Senator Patterson

14 PULLED 2/16/98

15 On page 4, beginning on line 7 of the amendment, after "guardian"  
16 strike all material through "act" on line 9 and insert "of a minor  
17 female or male is not required if the minor is emancipated as defined  
18 in section 3 of this act"

19 On page 4, beginning on line 14 of the amendment, after "guardian  
20 of the" strike all material through "child" on line 15 and insert  
21 "minor or incompetent female and male"

22 On page 4, beginning on line 18 of the amendment, after "That"  
23 strike all material through "her" on line 19 and insert "any person  
24 seeking to file a petition under this chapter will be provided court-  
25 appointed counsel at her or his"

26 On page 4, line 21 of the amendment, after "(i)" strike "She is"  
27 and insert "One or both of the petitioning minors are"

28 On page 4, at the beginning of line 25 of the amendment, strike all  
29 material through "child" and insert "of the petitioning minors"

1 On page 4, line 36 of the amendment, after "abortion." insert  
2 "Where there is a reason to believe the male who participated in  
3 creating the pregnancy is an unemancipated minor or an incompetent  
4 person, no person may perform an abortion until consent has been  
5 obtained from the custodial parent or guardian of the male."

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9 On page 5, beginning on line 14 of the amendment, after "guardian"  
10 strike all material through "act" on line 16 and insert "of a minor  
11 female or male is not required if the minor is emancipated as defined  
12 in section 3 of this act"

13 On page 5, beginning on line 21 of the amendment, after "guardian  
14 of the" strike all material through "child" on line 22 and insert  
15 "minor or incompetent female and male"

16 On page 5, beginning on line 25 of the amendment, after "(e)"  
17 strike all material through "her" on line 26 and insert "Any person  
18 seeking to file a petition under this chapter will be provided court-  
19 appointed counsel at her or his"

20 On page 5, line 28 of the amendment, after "(i)" strike "She is"  
21 and insert "One or both of the petitioning minors are"

22 On page 5, beginning on line 31 of the amendment, after "of the"  
23 strike all material through "child" on line 32 and insert "petitioning  
24 minors"

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28 On page 7, line 19 of the amendment, after "have" insert "or not  
29 have"

1 On page 7, line 20 of the amendment, after "performed" insert ", or  
2 to file or not file a petition under sections 1 through 18 of this  
3 act,"

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7 On page 8, line 20 of the amendment, after "pregnant" insert ", or  
8 is believed to be the male who participated in creating the pregnancy,"

9 On page 8, line 21 of the amendment, after "her" insert "or him"

10 On page 8, line 31 of the amendment, after "file her" insert "or  
11 his"

12 On page 8, line 31 of the amendment, after "solely her" insert "or  
13 his"

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16 PULLED 2/16/98

17 On page 9, line 1 of the amendment, after "(4)" insert "(a)"

18 On page 9, after line 7 of the amendment, insert the following:  
19 "(b) In the case of a petition by an unemancipated or incompetent  
20 male, if the court finds by clear, cogent, and convincing evidence that  
21 the petitioner is sufficiently mature or able to deal with the decision  
22 to have an abortion, the court shall waive the requirement that a  
23 parent or guardian of the male be notified. If the court does not make  
24 the finding specified in this subsection (4)(b) the petition shall be  
25 dismissed."

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4 On page 10, line 18 of the amendment, after "(4)" insert "(a)"

5 On page 10, after line 24 of the amendment, insert the following:

6 "(b) In the case of a petition by an unemancipated or incompetent  
7 male, if the court finds by clear, cogent, and convincing evidence that  
8 the petitioner is sufficiently mature or able to deal with the decision  
9 to have an abortion, the court shall waive the requirement that a  
10 parent or guardian of the male provide consent. If the court does not  
11 make the finding specified in this subsection (4)(b) the petition shall  
12 be dismissed."

13 EFFECT: Requires notification to, and consent of, parents of minor  
14 or incompetent father.

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