

1036-S

Sponsor(s): House Committee on Law & Justice (originally sponsored by Representatives Boldt, Mulliken, Koster, Johnson, Thompson, Sheahan, Sherstad, Carrell, Bush, Smith, Dunn, D. Schmidt and Backlund)

Brief Title: Requiring parental notification prior to performing abortions on unemancipated minors.

**HB 1036-S - DIGEST**

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that no person may perform an abortion upon an unemancipated minor or upon an incompetent unless that person has given forty-eight hours actual notice to a custodial parent or to the guardian of the pregnant unemancipated minor or pregnant incompetent of his or her intention to perform the abortion.

Provides that, if the unemancipated minor or incompetent declares in a signed written statement that she is a victim of sexual abuse, neglect, or physical abuse by either of her parents or her guardian, the attending physician shall provide the notice required by this act to a brother or sister of the unemancipated minor or incompetent who is over twenty-one years of age, or to a stepparent or grandparent specified by the unemancipated minor or incompetent.

Declares that notice is not required under this act if the attending physician certifies in the unemancipated minor's or incompetent's medical record that a medical emergency exists and there is insufficient time to provide the required notice.

Prohibits a parent, guardian, or other person from coercing an unemancipated minor or incompetent to have an abortion performed.

Allows the unemancipated minor or incompetent to petition a superior court for a waiver of the notice requirement and may participate in proceedings on her own behalf.

Provides that any person who intentionally performs an abortion with knowledge that or with reckless disregard as to whether the person upon whom the abortion is to be performed is an unemancipated minor or an incompetent without providing the required notice is guilty of a gross misdemeanor.

Provides that a person who coerces a minor to have an abortion is guilty of a misdemeanor.

Repeals RCW 9.02.170.