

6338-S

Sponsor(s): Senate Committee on Law & Justice (originally sponsored by Senators Benton, Swecker, Stevens, Oke, McDonald, Schow, Morton, Johnson, Hochstatter, McCaslin, Roach, Anderson and Strannigan)

Brief Title: Regarding parental notification for abortions provided to minors.

**SB 6338-S - DIGEST**

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that the purpose of the legislature in enacting this parental notification law is to further the important and compelling state interests of: (1) Protecting the rights of parents to rear children who are members of their household;

(2) fostering family unity and preserving the family as a viable social unit; and

(3) reducing teenage pregnancy and unnecessary abortion.

Provides that a physician shall not perform an abortion upon an unemancipated minor or upon an incompetent person unless the physician has given forty-eight hours actual notification to a custodial parent or to the guardian of the pregnant unemancipated minor or pregnant incompetent person of the physician's intention to perform the abortion.

Provides that if the pregnant unemancipated minor or pregnant incompetent person makes a written, signed declaration that she is a victim of sexual abuse, neglect, or physical abuse by either of her parents or her guardian, the physician intending to perform the abortion shall provide the notification required by this act to a brother or sister of the unemancipated minor or incompetent person so long as that sibling is over twenty-one years of age, or to a stepparent or grandparent specified by the unemancipated minor or incompetent person.

Provides that a parent, guardian, or other person who engages in coercion of an unemancipated minor or incompetent person to persuade her to have an abortion performed is guilty of a misdemeanor.

Declares that any physician 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 person, without providing the required notification shall be guilty of a gross misdemeanor.

Requires approval by the voters at the next general election.