

Senate Bill 240

By: Senators Hudgens of the 47th, Johnson of the 1st, Starr of the 44th, Thomas of the 54th, Shafer of the 48th and others

AS PASSED SENATE

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated,
2 relating to parental notification, so as to define and eliminate certain terms; to require certain
3 types of identification to be presented in order for a physician to perform an abortion; to
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 3 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to
8 parental notification, is amended by striking Code Section 15-11-111, relating to definitions,
9 and inserting in lieu thereof the following:

10 "15-11-111.

11 As used in this article, the term:

12 (1) 'Abortion' means the intentional termination of human pregnancy with an intention
13 other than to produce a live birth or to remove a dead fetus.

14 (2) 'Proper identification' means any document issued by a governmental agency
15 containing a description of the person, the person's photograph, or both, including, but
16 not limited to, a driver's license, an identification card authorized under Code Sections
17 40-5-100 through 40-5-104 or similar identification card issued by another state, a
18 military identification card, a passport, or an appropriate work authorization issued by the
19 United States Immigration and Naturalization Service.

20 ~~(2)~~(3) 'Unemancipated minor' means any person under the age of 18 who is not or has
21 not been married or who is under the care, custody, and control of such person's parent
22 or parents, guardian, ~~person standing in loco parentis~~, or the juvenile court of competent
23 jurisdiction."

1 ~~standing in loco parentis of such the~~ minor cannot be located, ~~such the~~ minor may petition,
 2 on ~~such the~~ minor's own behalf or by next friend, any juvenile court in the state for a
 3 waiver of such requirement pursuant to the procedures provided for in Code Section
 4 15-11-114. ~~Such The~~ juvenile court shall assist the minor or next friend in preparing the
 5 petition and notices required pursuant to this Code section. Venue shall be lawful in any
 6 county, notwithstanding Code Section 15-11-29."

7 **SECTION 3.**

8 Said article is further amended by striking subsection (c) of Code Section 15-11-114, relating
 9 to the conduct of the hearing and appeal, and inserting in lieu thereof the following:

10 "(c) The notification requirement of subparagraph (a)(1)(A), (a)(1)(B), or (a)(1)(C) of
 11 Code Section 15-11-112 shall be waived if the court finds either:

12 (1) That the unemancipated minor is mature enough and well enough informed to make
 13 the abortion decision in consultation with her physician, independently of the wishes of
 14 such minor's parent, or guardian, ~~or person standing in loco parentis~~; or

15 (2) That the notice to a parent or, if the minor is subject to guardianship, the legal
 16 guardian ~~or person standing in loco parentis~~ pursuant to Code Section 15-11-112 would
 17 not be in the best interests of the minor."

18 **SECTION 4.**

19 All laws and parts of laws in conflict with this Act are repealed.