

Senate Bill 123

By: Senators Whitehead, Sr. of the 24th, Johnson of the 1st and Cagle of the 49th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Code Section 16-12-142 of the Official Code of Georgia Annotated, relating to
2 requiring medical facilities or physicians to perform abortions and requiring others to assist,
3 so as to provide that a pharmacist who states in writing an objection to any abortion shall not
4 be required to fill a prescription for a drug if the purpose of the drug is to terminate a
5 pregnancy; to provide that such refusal shall not be the basis for any claim for damages; to
6 provide for the duration of the effectiveness of the written objection; to provide for related
7 matters; to repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Code Section 16-12-142 of the Official Code of Georgia Annotated, relating to requiring
11 medical facilities or physicians to perform abortions and requiring others to assist, is
12 amended by striking such Code section and inserting in its place the following:

13 "16-12-142.

14 (a) Nothing in this article shall require a hospital or other medical facility or physician to
15 admit any patient under the provisions of this article for the purpose of performing an
16 abortion. In addition, any person who states in writing an objection to any abortion or all
17 abortions on moral or religious grounds shall not be required to participate in procedures
18 which will result in such abortion; and the refusal of the person to participate therein shall
19 not form the basis of any claim for damages on account of such refusal or for any
20 disciplinary or recriminatory action against the person. The written objection shall remain
21 in effect until the person revokes it or terminates his association with the facility with
22 which it is filed.

23 (b) Any pharmacist who states in writing an objection to any abortion or all abortions on
24 moral or religious grounds shall not be required to fill a prescription for a drug which
25 purpose is to terminate a pregnancy; and the refusal of the person to fill such prescription
26 shall not form the basis of any claim for damages on account of such refusal or for any

1 disciplinary or recriminatory action against the person; provided, however, that the
2 pharmacist shall make all reasonable efforts to locate another pharmacist who is willing to
3 fill such prescription or shall immediately return the prescription to the prescription holder.
4 The written objection shall remain in effect until the person revokes it or terminates his or
5 her association with the facility with which it is filed."

6 **SECTION 2.**

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