

House Bill 555

By: Representatives Chandler of the 105th, Taylor of the 173rd, Cantrell of the 22nd, Setzler of the 35th, Clark of the 101st, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 15 of the Official Code of Georgia Annotated, relating to courts, so as to
2 provide for the reporting of certain statistics regarding juveniles seeking abortions without
3 parental notice; to amend Article 5 of Chapter 12 of Title 16 of the Official Code of Georgia
4 Annotated, relating to abortion, so as to make reporting requirements applicable to all
5 abortions performed; to amend Chapter 9A of Title 31 of the Official Code of Georgia
6 Annotated, relating to the "Woman's Right to Know Act," so as to make reporting
7 requirements applicable to all abortions performed; to amend Part 1 of Article 1 of
8 Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to State
9 Employees' Health Insurance Plan, so as to clarify that elective abortions are not covered
10 under the state health insurance plan; to provide for related matters; to repeal conflicting
11 laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 style="text-align:center">**SECTION 1.**

14 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising
15 Code Section 15-5-24, relating to the duties of the Administrative Office of the Courts, by
16 striking the word "and" at the end of paragraph (8), striking the period and inserting in lieu
17 thereof "; and", and adding a new paragraph to read as follows:

18 "(10) To collect and provide statistics to the Department of Public Health in accordance
19 with the provisions of subsection (b) of Code Section 15-11-64."

20 style="text-align:center">**SECTION 2.**

21 Said title is further amended by revising Code Section 15-11-64, relating to collection of
22 information by juvenile court clerks, by designating the existing text as subsection (a) and
23 adding a new subsection to read as follows:

24 "(b) Each clerk of the juvenile court shall report to the Administrative Office of the Courts
25 the total number of petitions or motions filed under subsection (b) of Code

26 Section 15-11-682 for the previous calendar year and, of that number, the number in which
 27 the court appointed a guardian ad litem, the number in which the court appointed counsel,
 28 the number in which the judge issued an order authorizing an abortion without notification,
 29 the number in which the judge denied such an order, and, of the last, the number of denials
 30 from which an appeal was filed, the number of appeals that resulted in denials being
 31 affirmed, and the number of appeals that resulted in reversals of such denials. Each clerk
 32 shall make such report by February 28 of each year for the previous calendar year."

33 **SECTION 3.**

34 Article 5 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to
 35 abortion, is amended by revising paragraph (2) of subsection (a) of Code
 36 Section 16-12-141.1, relating to disposal of aborted fetuses, reporting requirements,
 37 penalties, public report, and confidentiality of identity of physicians filing reports, as follows:

38 "(2) Each physician who performs an abortion and each hospital, clinic, and laboratory
 39 shall report, on a form of the type and confidentiality provided for in subsection (d) of
 40 Code Section 16-12-141, and provided by the commissioner of public health, the manner
 41 in which it disposes of the aborted fetus; provided, however, that, if the hospital, clinic,
 42 or laboratory makes the report required by this paragraph on the disposition of the aborted
 43 fetus, it shall not be necessary for the physician performing the abortion to make the
 44 report required by this paragraph. Such reports shall be made annually by December 31
 45 and whenever the method of disposal changes. The commissioner of public health shall
 46 provide forms for reporting under this Code section."

47 **SECTION 4.**

48 Chapter 9A of Title 31 of the Official Code of Georgia Annotated, relating to the "Woman's
 49 Right to Know Act," is amended by revising subsection (a) of Code Section 31-9A-6, relating
 50 to reporting requirements, as follows:

51 "(a) The Department of Public Health shall prepare a reporting form for physicians
 52 performing who perform abortions in a health facility licensed as an abortion facility by the
 53 Department of Community Health containing a reprint of this chapter and listing which
 54 shall list:

55 (1) The number of females to whom the physician provided the information described
 56 in paragraph (1) of Code Section 31-9A-3; of that number, the number to whom the
 57 information was provided by telephone and the number to whom the information was
 58 provided in person; and of each of those numbers, the number to whom the information
 59 was provided by a referring physician and the number to whom the information was
 60 provided by a physician who is to perform the abortion;

61 (2) The number of females to whom the physician or a qualified agent of the physician
 62 provided the information described in paragraph (2) of Code Section 31-9A-3; of that
 63 number, the number to whom the information was provided by telephone and the number
 64 to whom the information was provided in person; of each of those numbers, the number
 65 to whom the information was provided by a referring physician and the number to whom
 66 the information was provided by a physician who is to perform the abortion; and of each
 67 of those numbers, the number to whom the information was provided by the physician
 68 and the number to whom the information was provided by a qualified agent of the
 69 physician;

70 (3) The number of females who availed themselves of the opportunity to obtain a copy
 71 of the printed information described in Code Section 31-9A-4, other than on the website,
 72 and the number who did not; and of each of those numbers, the number who, to the best
 73 of the reporting physician's information and belief, went on to obtain the abortion; and

74 (4) The number of females who were provided the opportunity to view the fetal image
 75 and hear the fetal heartbeat; of that number, the number who elected to view the
 76 sonogram and the number who elected to listen to the fetal heartbeat, if present."

77 **SECTION 5.**

78 Part 1 of Article 1 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated,
 79 relating to State Employees' Health Insurance Plan, is amended by revising Code
 80 Section 45-18-4, relating to expenses not to be covered by plan, as follows:

81 "45-18-4.

82 The health insurance plan shall not include expenses incurred by or on account of an
 83 individual prior to the effective date of the plan; expenses for services received for injury
 84 or sickness due to war or any act of war, whether declared or undeclared, which war or act
 85 of war shall have occurred after the effective date of this plan; expenses for which the
 86 individual is not required to make payment; expenses to the extent of benefits provided
 87 under any employer group plan other than this plan in which the state participates in the
 88 cost thereof; expenses for abortion services ~~except to the extent permitted under the state~~
 89 ~~health benefit plan approved by the board as such plan existed on January 1, 2014 in the~~
 90 case of a medical emergency as defined in paragraph (2) of Code Section 31-9A-2; and
 91 such other expenses as may be excluded by regulations of the board. For purposes of this
 92 Code section, the term 'abortion' shall have the same meaning as provided in Code
 93 Section 31-9A-2."

94 **SECTION 6.**

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