

Senate Bill 74

By: Senator McKoon of the 29th

**AS PASSED SENATE**

**A BILL TO BE ENTITLED**

**AN ACT**

1 To amend Code Section 15-11-684 of the Official Code of Georgia Annotated, relating to  
 2 the conduct of a hearing for the petition of an unemancipated minor seeking a waiver of the  
 3 parental notification requirement for an abortion and appeal, so as to provide for clear and  
 4 convincing evidence as the proper standard of proof; to repeal conflicting laws; and for other  
 5 purposes.

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

7 **SECTION 1.**

8 Code Section 15-11-684 of the Official Code of Georgia Annotated, relating to the conduct  
 9 of a hearing for the petition of an unemancipated minor seeking a waiver of the parental  
 10 notification requirement for an abortion and appeal, is amended by revising subsection (c)  
 11 as follows:

12 "(c) The requirements of subparagraph (a)(1)(A), (a)(1)(B), or (a)(1)(C) of Code Section  
 13 15-11-682 shall be waived if the court finds by clear and convincing evidence either:

14 (1) That the unemancipated minor is mature enough and well enough informed to make  
 15 the abortion decision in consultation with her physician, independently of the wishes of  
 16 such minor's parent or guardian; or

17 (2) That the notice to a parent or, if the unemancipated minor is subject to guardianship,  
 18 the legal guardian pursuant to Code Section 15-11-682 would not be in the best interests  
 19 of such minor."

20 **SECTION 2.**

21 All laws and parts of laws in conflict with this Act are repealed.