

Ballot Measure # 2
ABORTION FOR MINOR REQUIRES NOTICE TO OR CONSENT
FROM PARENT OR GUARDIAN OR THROUGH JUDICIAL BYPASS
09PIMA

This bill would change the law to require notice to the parent or guardian of a female under the age of 18 before she has an abortion. Currently, a female under 18 may have an abortion with no notice to her parent or guardian. The bill includes detailed requirements for the notice, including that the minor's doctor must provide the notice at least 48 hours before the procedure. This waiting period would be waived if a parent or guardian gives consent.

The bill also allows the minor to go to court to authorize an abortion without giving notice to her parent or guardian. The minor could ask the court to excuse her from school to attend the hearings and to have the abortion. The court could direct the school not to tell the minor's parent or guardian of the minor's pregnancy, abortion, or absence from school.

The bill allows a minor who is a victim of abuse by her parent or guardian to get an abortion without notice or consent. To do this, the minor and an adult relative or authorized official with personal knowledge of the abuse must sign a notarized statement about the abuse.

The bill would make it a felony for a doctor to knowingly violate the statutory notice provisions for giving the minor's parents notice of the minor's intent to have an abortion. The bill sets out a doctor's defense for performing an abortion without first providing notice or obtaining consent where the minor faces an immediate threat of death or permanent physical harm from continuing the pregnancy.

Doctors who perform abortions on a minor would have to submit reports.

This bill amends a law passed by the legislature in 1997 that is on the books but which may not be enforced because of a Court decision. The 1997 law was known as the "Parental Consent Act." This bill makes changes to the 1997 law to address concerns in the Court decision and seeks to make the law, as amended, enforceable.

Should this initiative become law?