

One Hundred Second Legislature - First Session - 2011

Introducer's Statement of Intent

LB690

Chairperson: Senator Brad Ashford

Committee: Judiciary

Date of Hearing: March 09, 2011

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 690 amends parental notification requirements for an abortion to require notarized written consent from a pregnant woman less than eighteen years of age and one of her parents or a legal guardian before obtaining an abortion. LB 690 establishes a process for judicial bypass should a minor not seek parental consent.

Section 1: Harmonizes 38-2021 with sections 4, 5, 11, 13, and 14 of LB 690.

Section 2: Defines Terms.

Section 3: Except in the case of a medical emergency, an abortion may not be performed on a pregnant woman less than 18 years of age without notarized written consent from the woman and her parent or guardian. The parent or guardian should consider the woman's best interest when considering granting consent.

Section 4: If the pregnant woman signs a statement that she is a victim of abuse by her parent(s) or guardian, the physician may obtain notarized written consent for an abortion from a sibling 21 years or age or older or from a stepparent or grandparent.

Section 5: A pregnant woman shall not be coerced to obtain an abortion, and she shall be deemed emancipated to receive public-assistance benefits if she is denied financial support by her parents, guardians, or custodians if she refuses an abortion. Such benefits may not be used for an abortion.

Section 6: The provisions of the act apply to residents and non-residents. Section 6 provides for judicial bypass if the pregnant woman elects not to obtain parental consent.

Section 7: Provides for an appeal if the court denies authorizing an abortion without consent.

Section 8: Harmonizes 71-6905 with sections 4, 5, 11, 13, and 14 of LB 690.

Section 9: Waives parental consent if a medical emergency exists.

Section 10: Physicians in violation, an unauthorized person granting consent, or a person coercing a minor to have an abortion are guilty of a Class III misdemeanor.

Section 11: Requires a monthly report.

Section 12: Replaces "notification" with "consent" consistent with the changes called for in LB 690.

Section 13: Clarifies that the bill shall not be construed as creating or recognizing a right to abortion; provides severability should any portion of the act be deemed invalid.

Principal Introducer: _____

Senator Lydia Brasch