

HB 1370 -- ABORTION

SPONSOR: Miller

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Children and Families by a vote of 8 to 3. Voted "Do Pass" by the Select Committee on Social Services by a vote of 7 to 2.

Currently, a person is not permitted to knowingly perform an abortion on a minor unless the attending physician has secured the informed written consent of the minor and one parent or guardian of the minor. This bill requires, except in the case of an emergency, the consenting parent or guardian of the minor to notify any other custodial parent or guardian in writing prior to the securing of the informed written consent of the minor and consenting parent or guardian.

"Custodial parent" is defined as any parent of a minor in a family in which the parents have not separated or dissolved their marriage or any parent of a minor who has been awarded joint legal custody or joint physical custody of the minor by a court of competent jurisdiction.

A parent or guardian is not required to receive notice if he or she has been found guilty of specified offenses, is listed on the state's Child Abuse or Neglect Central Registry, Sexual Offender Registry, has an order of protection against him or her, had their rights terminated, cannot be located, or is incapacitated as specified in the bill.

This bill is the same as HB 814 (2015).

PROPOSERS: Supporters say that if courts recognize two parents are eligible to have custody of a child they should also be eligible to know what is happening to the minor as well. The bill is a common sense bill that helps keep parents aware of all aspects of their child's health. There is a protection in the bill for a child who has a parent that is a bad actor. The goal is to foster civility in broken families. Leaving a parent out of such a monumental decision is incredibly uncivil.

Testifying for the bill were Representative Miller; Missouri Family Network; Americans United For Life; Joanna Schrader; and Missouri Right To Life.

OPPOSERS: Those who oppose the bill say that the bill could put minors in harm's way, especially kids from imperfect homes because there is often a good reason a child wants to leave a parent out of this decision process. Comprehensive sex education would keep kids

safer and healthier by encouraging parental conversations and providing medically accurate health information. The right to an abortion is constitutionally protected and this bill would likely not pass constitutional muster.

Testifying against the bill were ACLU of Missouri; Planned Parenthood Advocates in Missouri; and Naral Pro-Choice Missouri.