

YMCA YOUTH LEGISLATURE OF THE STATE OF MONTANA

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House Bill Number 342

Legislative Action:

Introduced by: Mitzi Scheerer

House Committee: \_\_\_\_\_

Authored by: Mitzi Scheerer

House: \_\_\_\_\_

Senate Committee: \_\_\_\_\_

Delegation: Bozeman

Senate: \_\_\_\_\_

Governor: \_\_\_\_\_

Referred to Committee: House Judiciary Committee

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1 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE UNEMANCIPATED MINORS  
2 TO RECEIVE CONCENT FROM ONE LEGAL PARENT OR GUARDIAN BEFORE  
3 HAVING AN ABORTION."  
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5 BE IT ENACTED BY THE MONTANA YMCA YOUTH LEGISLATURE:  
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7 Section 1: The purpose of this bill is to create a better base of understanding between the  
8 physician, underage patient, and parent/ legal guardian, before abortion, such a life changing act,  
9 can take place.  
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11 Section 2: Youth Legislature finds that:

- 12 (A). Minors are too immature to make fully informed decisions.
- 13 (B). Medical, emotional, and psychological effects of an abortion can cause  
14 drastic, long-lasting consequences.
- 15 (C). With parental/ guardian guidance, better care for the individual may be  
16 given.
- 17 (D). Parents/ legal guardians have legal responsibility for their minor.
- 18 (E). Consent is in the best interest of both the minor and the parent/ guardian.  
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20 Section 3: An abortion by definition is use of any instrument, be it medicine, drug, or any other  
21 device, which intentionally exterminates a fetus, or unborn human organism, from the body of  
22 the pregnant woman.  
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24 Section 4: Waiver of Notice

- 25 (A). Abortion can only take place forty-eight hours after written notice as been  
26 given to the selected doctor, who will carry out the abortion.
- 27 (B). The notice must be mailed from the physician's office to the address of the  
28 parent/ legal guardian, where it must be signed by at least one parent/ legal guardian, or given to  
29 the parent/ legal guardian by the female who wishes to have the abortion, then personally  
30 delivered to the physician by the addressee or parent/ legal guardian before the operation can  
31 take place.  
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33 Section 5: The limitations of this bill will be that if a pregnancy may be fatal to the pregnant  
34 female, then an emergency abortion can take place without parental consent.

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36 Section 6: Failure to comply with this bill:

37 (A). First offence is a five thousand-dollar (\$5,000.00) fine to be paid to the  
38 Montana Department of Health.

39 (B). Second offence is a fifteen thousand-dollar (\$15,000.00) fine to be paid to the  
40 Montana Department of Health.

41 (C). Third offence is a twenty-five thousand-dollar (\$25,000.00) fine to be paid to  
42 the Montana Department of Health and the revocation of the physician's medical license.

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44 Section 7: Article II Section 15 Rights of persons, not adults of the Montana Constitution states:  
45 "The rights of persons under 18 years or age shall include, but not be limited to, all the  
46 fundamental rights of this Article unless specifically **precluded by laws which enhance the**  
47 **protection of such persons.**"

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49 Section 8: This bill shall take immediate effect upon its signing and approval.

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