

A020-0203

10 AN ACT concerning

20 **Abortion- Parental Notification**

30 FOR requiring written notice from the physician to minor's parent(s) or guardian(s) before
40 performing an abortion procedure.

50 BY repealing

60 Article-Health-General

70 Section 20-103

80 Annotated Code of Maryland

90 (2003 Replacement Volume and 2003 Supplement)

100 BY adding to

110 Article-Health-General

120 Section 20-103

130 Annotated Code of Maryland

140 (2003 Replacement Volume and 2003 Supplement)

150 SECTION 1. BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE, That the
160 laws of Maryland read as follows:

170 **Article 20-Health-General**

180 (a) Except as provided in subsections (b) and (c) of this section, a physician may not perform
190 an abortion on an unmarried minor unless the physician first gives notice to a parent or guardian of
200 the minor.

210 (b) The physician may perform the abortion without notice to a parent or guardian if:

220 (1) The minor does not live with a parent or guardian; and

230 (2) A reasonable effort to give notice to a parent or guardian is unsuccessful.

240 (c) (1) The physician may perform the abortion, without notice to a parent or guardian
250 of a minor if, in the professional judgment of the physician:

260 (i) Notice to the parent or guardian may lead to physical ~~or emotional~~
270 abuse of the minor;

280 (ii) ~~The minor is mature and capable of giving informed consent to an~~
290 ~~abortion; or~~

300 (iii) ~~Notification would not be in the best interest of the minor.~~

310 (2) The physician is not liable for civic damages or subject to a criminal penalty for
320 a decision under this subsection not to give notice.

330 (d) The postal receipt that shows an article of mail was sent by certified mail, return receipt
340 requested, bearing a postmark from the United States Postal Service, to the last known address of
350 a parent or guardian and that is attached to a copy of the notice letter that was sent in that article of
360 mail shall be conclusive evidence of notice or a reasonable effort to give notice, as the case may
370 be.

380 (e) A physician may not provide notice to a parent or guardian if the minor decides not to
390 have an abortion.

400 SECTION 2. AND BE IT FURTHER ENACTED, That this act will take effect June 1, 2003.

410 MANDATES: Governor Robert Ehrlich, Jr.
420 Lt. Governor Michael Steele

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