January 17, 2006

Mr. Speaker:

The Health and Human Services Committee reports a favorable recommendation on **H.B. 85**, ABORTION BY A MINOR - PARENTAL NOTIFICATION AND CONSENT, by Representative K. Gibson, et al, with the following amendments:

1. *Page 2, Lines 51 through 55:*

    51   ▸   provides that a court shall order that a minor may consent to an abortion without
    52   parental consent only if the court finds **by a preponderance of the evidence** that:
    53   •   the minor is mature and capable of giving informed consent to the abortion and
    54   has given her informed consent; or
    55   •   an abortion would be in the minor's best interest;

2. *Page 5, Lines 149 through 152:*

    149   (4) (a) If { ~~one or both of a pregnant minor's parents or the minor's guardian refuses to~~
    150   ~~consent~~ } **a pregnant minor fails to obtain the consent of a parent or guardian of the minor** to the performance of an abortion, or if the minor chooses not to seek the consent of
    151   { ~~one or both of her parents~~ } **a parent** or guardian, the minor may file a petition with the juvenile court to
    152   obtain the right to consent to the abortion without the consent of the minor's parent or guardian.

3. *Page 6, Line 180 through Page 7, Line 186:*

    180   (b) After considering the evidence presented at the hearing, the court shall order that
    181   the minor may consent to an abortion without the consent of a parent or guardian of the minor
    182   if the court finds **by a preponderance of the evidence** that:
    183   (i) the minor:

184   (A) has given her informed consent to the abortion; and

185   (B) is mature and capable of giving informed consent to the abortion; or

186   (ii) an abortion would be in the minor's best interest.

Respectfully,

Bradley G. Last
Committee Chair

Voting: 7-1-0

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