

THE SOUTH CAROLINA SENATE



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Committees:
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Banking & Insurance
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Medical Affairs
Corrections & Penology

BILLY GARRETT
Abbeville, Greenwood, McCormick, Saluda

April 5, 2022

Mr. Steve Lefemine

Dear Steve:

Thank you for your questions concerning Section 16-82. Your question was whether, under that Section, was there an exception to the criminalization of abortion in the case of the life of the mother and child.

Section 16-82 (1952) DEATH This law was designed to direct its attention to the doctor's action as well as the mother (any person). The highlighted Section on Page 461 was to give the doctor a defense if his/her actions are necessary to preserve the mother's life or the life of the child. The mother has no protection and could be prosecuted for a successful abortion.

Under 16-83 ATTEMPTED ABORTION (any person), the criminal law makes it a misdemeanor subject to a two-year penalty and/or a fine of a thousand dollars for an attempted abortion as against the doctor and the mother were neither the mother or the child dies.

Section 16-84 is specific as to a (woman) for solicitation of an abortion.

Sincerely,

A handwritten signature in blue ink that reads "Billy Garrett".

Billy Garrett
South Carolina State Senator

BG/klm