**South Carolina General Assembly**

119th Session, 2011-2012

**H. 3945**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Barfield, Loftis, Patrick, Parker, Hiott, Thayer, Tribble, V.S. Moss, Toole, Nanney, Anderson, Owens, Bikas, Erickson, Forrester, Stringer, Allison, Chumley, Viers, Quinn, Limehouse, Bedingfield, Bingham, G.A. Brown, Clemmons, Corbin, Daning, Edge, Frye, Hamilton, Henderson, Herbkersman, Hixon, Hosey, Lowe, D.C. Moss, Merrill, Pinson, Pitts, Pope, Sandifer, Simrill, G.M. Smith, G.R. Smith, J.R. Smith, Spires, Tallon, Taylor, Vick, White, Atwater, Brannon and Putnam

Document Path: l:\council\bills\nbd\11171ac11.docx

Companion/Similar bill(s): 616

Introduced in the House on March 16, 2011

Currently residing in the House Committee on **Judiciary**

Summary: Personhood Act of South Carolina

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

3/16/2011 House Introduced and read first time ([House Journal‑page 9](file:///h:\hj%20archive\2011\03-16-11.docx))

3/16/2011 House Referred to Committee on **Judiciary** ([House Journal‑page 9](file:///h:\hj%20archive\2011\03-16-11.docx))

1/25/2012 House Member(s) request name added as sponsor: Atwater

1/31/2012 House Member(s) request name added as sponsor: Brannon

2/2/2012 House Member(s) request name added as sponsor: Putnam

**VERSIONS OF THIS BILL**

[3/16/2011](file:///p:\pprever\2011-12\3945_20110316.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 1, TITLE 1 SO AS TO ENACT THE “PERSONHOOD ACT OF SOUTH CAROLINA” WHICH ESTABLISHES THAT THE RIGHT TO LIFE FOR EACH BORN AND PREBORN HUMAN BEING VESTS AT FERTILIZATION, AND THAT THE RIGHTS OF DUE PROCESS AND EQUAL PROTECTION, GUARANTEED BY SECTION 3, ARTICLE I OF THE CONSTITUTION OF THIS STATE, VEST AT FERTILIZATION FOR EACH BORN AND PREBORN HUMAN PERSON.

Whereas, the General Assembly, under Section 1A, Article III of the Constitution of the State of South Carolina, 1895, is empowered to assemble to make new laws, as the common good may require; and

Whereas, Section 3, Article I of the Constitution of the State of South Carolina, 1895, guarantees that no person may be deprived of life, liberty, or property without due process of law or denied the equal protection of the laws; and

Whereas, the General Assembly in the exercise of its constitutional powers and in carrying out its duties and responsibilities under the law finds it necessary and proper to ensure that the rights of its citizens extend to each newly born and preborn human person. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 1, Title 1 of the 1976 Code is amended by adding:

“Article 5

Personhood

Section 1‑1‑310. This article may be cited as the ‘Personhood Act of South Carolina’.

Section 1‑1‑320. (A) The right to life for each born and preborn human being vests at fertilization.

(B) The rights guaranteed by Section 3, Article I of the Constitution of this State, that no person shall be deprived of life without due process of law, nor shall any person be denied the equal protection of the laws, vest at fertilization for each born and preborn human person.”

SECTION 2. This act takes effect upon approval by the Governor.

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