**South Carolina General Assembly**

120th Session, 2013-2014

**S. 457**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Bright, Grooms, Bryant, Williams, Reese, Shealy, Turner, S. Martin, Jackson, Bennett, Hayes, Gregory, Corbin, Hembree, Young, McGill, Massey, Fair, Verdin, Cromer, O'Dell and Davis

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Companion/Similar bill(s): 83, 3323, 3584

Introduced in the Senate on February 28, 2013

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

Summary: Personhood Act of South Carolina

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/28/2013 Senate Introduced and read first time ([Senate Journal‑page 3](file:///h:\SJ%20Archive\2013\02-28-13.docx))

2/28/2013 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 3](file:///h:\SJ%20Archive\2013\02-28-13.docx))

4/29/2013 Senate Referred to Subcommittee: Campsen (ch), Hutto, Gregory, Allen, Hembree

**VERSIONS OF THIS BILL**

[2/28/2013](file:///p:\pprever\2013-14\457_20130228.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 1, TITLE 1, 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 ARTICLE I, SECTION 3 OF THE CONSTITUTION OF THIS STATE, VEST AT FERTILIZATION FOR EACH BORN AND PREBORN HUMAN BEING.

Whereas, the General Assembly, under Article III, Section 1A 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, Article I, Section 3 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 being. Now, therefore,

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

SECTION 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. The General Assembly finds as follows regarding the sanctity of life:

(A) The General Assembly acknowledges the July 4, 1776 Declaration of Independence is one of the Organic Laws of the United States of America found in the United States Code.

(B) The General Assembly acknowledges all persons are endowed by their Creator with certain unalienable rights.

(C) The General Assembly acknowledges personhood is God‑given, as all men are created in the image of God.

(D) The General Assembly finds the Preamble to the Constitution of the State of South Carolina contains the sovereign peoples’ acknowledgment of God as the source of constitutional liberty saying: ‘We the people of the State of South Carolina, in Convention assembled, grateful to God for our liberties, do ordain and establish this Constitution for the preservation and perpetuation of the same.’

(E) The General Assembly finds a human being is a person at fertilization.

Section 1‑1‑330. (A) The right to life for each born and preborn human being vests at fertilization.

(B) The rights guaranteed by Article I, Section 3 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 being.

Section 1‑1‑340. This article is enacted pursuant to the power reserved to this State under the Tenth Amendment to the United States Constitution.”

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

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