SENATE JUDICIARY
EXHIBIT NO. 2
DATE 4/16/13
BILL NO. HB521

OPPOSE HB 521: AN ACT REQUIRING PARENTAL CONSENT PRIOR TO AN ABORTION FOR A MINOR

Sponsored by Rep. Gerald (Jerry) Bennett (R-Libby)

- **A law very similar to this has already been declared unconstitutional.** In 1999, a Montana court found that an earlier enacted parental notification law violated two different sections of the Montana Constitution. HB 521 would violates the same constitutional provisions -- the equal protection and privacy clauses of the Montana Constitution -- that led to the court striking down the previous law in its entirety. This bill will simply start a new round of litigation, while young women are put in harm's way.

- **HB 521 is unnecessary.** The vast majority of teens in Montana involve their parents in their decision to access abortion care. On average, more than 91% of minors obtaining an abortion include their parents in the decision.

- **Montana already requires all health care providers to obtain consent from patients prior to performing a non-emergency medical procedure.** However, HB 521 singles out abortion procedures for additional, biased, requirements for obtaining consent for an abortion on top of the general requirements already existing in the state. This mandate forces providers to give biased information to patients, and ultimately does nothing to further the underlying values of the consent process.

- **The legislature cannot mandate healthy family communication.** Some teens live in troubled or abusive homes. This law puts vulnerable teenagers in harm's way or forces them to go through the court system. For a young woman without a lawyer, the judicial bypass process can be overwhelming, if not impossible. Teens facing crisis pregnancies don't need a judge; they need access to caring medical professionals and counselors.

- **Complicated parental consent laws can force young women, even those from loving, healthy families, to turn to illegal or self-induced abortion.** It can cause young women to delay the procedure to the point that it becomes riskier, or to bear a child against their will. This possibility is unacceptable and terrifying. We must do better to protect and care for our state's young women.

- **The real answer to teen pregnancy is prevention and strong caring families, not laws that endanger our daughters.** The best way to protect our daughters is to begin talking about responsible, appropriate sexual behavior from the time they are young and foster an atmosphere that assures them they can come to us.

Prepared by the Montana Reproductive Rights Coalition
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