**South Carolina General Assembly**

118th Session, 2009-2010

**S. 398**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Bright, Massey, Bryant, S. Martin, Sheheen, Reese, Grooms, Fair, Rose, Campbell, Thomas, Shoopman and Ryberg

Document Path: l:\s-res\lb\004born.mrh.lb.docx

Companion/Similar bill(s): 3342

Introduced in the Senate on February 10, 2009

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

Summary: Humans

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/10/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\02-10-09.docx)‑7

2/10/2009 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2009\02-10-09.docx)‑7

3/12/2009 Senate Referred to Subcommittee: Knotts (ch), Hutto, Cleary, Nicholson, Rose, Shoopman

**VERSIONS OF THIS BILL**

[2/10/2009](file:///p:\pprever\2009-10\398_20090210.docx)

**A** **BILL**

TO AMEND SECTION 2‑7‑30 OF THE 1976 CODE, RELATING TO THE CONSTRUCTION OF THE WORDS “PERSON” AND “PARTY” AS THOSE WORDS APPEAR IN THE LAWS OF THIS STATE, TO PROVIDE THAT THE CONSTRUCTION OF “PERSON”, “HUMAN BEING”, “CHILD”, AND “INDIVIDUAL” INCLUDES INFANT MEMBERS OF THE SPECIES HOMO SAPIENS WHO ARE BORN ALIVE, AND TO DEFINE “BORN ALIVE”.

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

SECTION 1. Section 2‑7‑30 of the 1976 Code is amended to read:

“Section 2-7-30. (A) The words ‘person’ and ‘party’ and any other word importing the singular number used in any act or joint resolution shall be held to include the plural and to include firms, companies, associations and corporations and all words in the plural shall apply also to the singular in all cases in which the spirit and intent of the act or joint resolution may require it. All words in an act or joint resolution importing the masculine gender shall apply to females also and words in the feminine gender shall apply to males. And all words importing the present tense shall apply to the future also.

(B)(1) In determining the meaning of any act or joint resolution of the General Assembly or in a regulation promulgated pursuant to Article 1, Chapter 23, Title 1, the words ‘person’, ‘human being’, ‘child’, and ‘individual’, must include infant members of the species homo sapiens who are born alive at any stage of development.

(2) As used in this subsection, the term ‘born alive’, with respect to a member of the species homo sapiens, means the complete expulsion or extraction from the mother of that member, at any stage of development, who after the expulsion or extraction breathes or has a beating heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, regardless of whether the umbilical cord has been cut, and regardless of whether the expulsion or extraction occurs as a result of natural or induced labor, cesarean section, or induced abortion.

(3) Nothing in this subsection may be construed to affirm, deny, expand, or contract any legal status or legal right applicable to any member of the species homo sapiens at any point before being born alive as defined in this subsection.”

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

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