



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bill 135 (Substitute S-1 as reported by the Committee of the Whole)  
Sponsor: Senator Dave Robertson  
Committee: Judiciary

### **CONTENT**

The bill would amend the Parental Rights Restoration Act to do all of the following:

- Prohibit a minor who was denied a waiver of parental consent for an abortion by one family court from seeking a waiver for the same pregnancy in another family court.
- Require the court, if it denied a waiver, to inform the minor that she could appeal the denial, could not initiate proceedings in another family court, but could request a rehearing by the same family court if there were a change of circumstances.
- Require the court, in determining whether a minor was sufficiently mature and informed to make an abortion decision, to consider whether it should contravene a common law standard that minors are not capable of providing informed consent for medical treatment.
- Require the court to grant a waiver if it found, based on specific factors, that the minor demonstrated a decision-making capacity similar to that of an adult.
- Require the court, in deciding whether a waiver would be in a minor's best interest, to consider whether it should contravene a common law standard that a minor's best interest is served by parental involvement in medical decisions.
- Require the court to grant a waiver if it found that both parents, or the minor's legal guardian, had demonstrated through neglect or abuse a lack of concern or competence in serving the minor's best interests, based on specific factors.

MCL 722.903 & 722.904

Legislative Analyst: Suzanne Lowe

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Date Completed: 3-28-12

Fiscal Analyst: Dan O'Connor