

# South Carolina legislature passes law banning abortions after 6 weeks

Kevin Reed  
24 May 2023

In a vote of 27-19, the Republican-controlled South Carolina Senate voted on Tuesday for a ban on abortions in the state after six weeks of pregnancy. The sweeping attack on fundamental democratic rights, which includes the requirement of two doctor visits and two ultrasounds, essentially ends legal abortion services in South Carolina where there are just three clinics and these have a two- to three-week wait for appointments.

The Senate vote to ban abortions after fetal cardiac activity is detected, which generally occurs after six weeks, came after a filibuster by the five Senators in the South Carolina body, three Republicans and two Democrats, failed to block it. Republican Governor Henry McMaster is expected to sign the bill into law.

The law includes an exception for victims of rape and incest and in the event of fatal fetal abnormalities or where the woman's life and health are in danger, abortion is available up to 12 weeks of pregnancy.

Abortions performed under the rape and incest exceptions must be reported within 24 hours to the county sheriff where the abortion was performed. Physicians must tell the patient they will report the rape before the abortion is performed.

Girls under the age of 16 seeking abortions without their parent's consent are given six weeks to obtain permission from a judge unless they are rape or incest victims.

The bill also requires a "biological father" to pay child support from conception, a provision that creates the legal basis to declare fetal "personhood" and will be used by the right-wing antiabortion advocates to enact such laws in other states.

Additionally, the law allows the state board of medical examiners to revoke a doctor's medical license if they are found to violate it. The law also allows anyone to file a complaint and parents of a minor are

permitted to file a civil suit against a doctor who performed an abortion.

Anyone who violates the law can be found guilty of a felony and, upon conviction, must be fined \$10,000, face prison time of up to two years or both.

The South Carolina House had three times previously attempted to get the Senate to pass an abortion ban that began at conception, but the Republicans failed to obtain the necessary votes. The five Senators who filibustered the bill offered a ban after 12 weeks or to put the matter to a vote by the public as a ballot proposal.

The Republican majority in the state Senate finally secured the 26 votes required to overcome the filibuster after Republican Senator Tom Davis, of the state's 46th District that includes Hilton Head Island, changed his vote. After the passage of the measure, Davis said, "At some point in time, the right of the state to see the unborn child born does take precedent over the woman's right to her body."

South Carolina, which had previously permitted abortion up to 21 weeks and 6 days, has been a flashpoint of the attack on reproductive rights, despite the fact that polls show a solid majority of the public supports the right to abortion.

In January, the South Carolina Supreme Court temporarily blocked the state's Fetal Heartbeat and Protection from Abortion Act, which was passed in 2021, after the US Supreme Court's decision to overturn *Roe v. Wade*—the 1973 ruling that declared abortion legal across the country—made this previous attempt to impose a ban after 6 weeks effective.

Responding to the South Carolina legislation with an official statement, Planned Parenthood said: "Abortion is already difficult to access in South Carolina, with only three abortion clinics in the state and a range of

limitations on access imposed by state lawmakers. South Carolina ranks 43rd—in the bottom 10 of all states—with the highest maternal mortality rates. Women here are three times more likely to die during pregnancy or childbirth than the average U.S. woman.”

Since the Supreme Court overturned the constitutional right to abortion in June 2022, 24 US states, many of them in the south and among the poorest states in the country, have moved to outlaw the fundamental right. The decision by the deeply reactionary and illegitimate high court opened up a flood of right-wing measures against abortion rights in blatant opposition to the views of a supermajority of the American public.

Other recent developments in the ongoing attacks on abortion rights across the country include:

- In Nebraska on May 19, legislators voted to restrict access to abortion as part of a bill to block medical care for transgender youth. After Republicans sought to ban most abortions after six weeks, the Democrats made a deal on the transgender legislation that permitted the abortion restrictions to be bundled into the bill.

- In North Carolina on May 16, Republicans used a supermajority to uphold a 12-week abortion ban, overriding the Democratic governor’s veto. The measure was adopted by both the state Senate and House in back-to-back sessions which replaced the previous law that made abortion legal up to 20 weeks.

- In April, Republican Florida Governor Ron DeSantis signed into law a bill passed previously by the state legislature banning abortion after six weeks.



To contact the WSWS and the  
Socialist Equality Party visit:

**[wsws.org/contact](https://wsws.org/contact)**