



SOUTH CAROLINA AT A GLANCE

EXISTENCE AND STATUS OF ABORTION BAN	STATE CONSTITUTIONAL PROTECTION OF ABORTION RIGHTS	STATUTORY PROTECTION OF ABORTION RIGHTS	OTHER FACTORS
No ban	None established	None	Highly vulnerable to enactment of new ban



Existence and Status of Abortion Ban: No abortion ban. The legislature repealed its pre-*Roe* ban.

State Constitutional Protection of Abortion Rights: None established.

Statutory Protection of Abortion Rights: None.

Other Factors: Because South Carolina has a history of enacting abortion restrictions,¹⁴⁴ and the legislature and governor are currently anti-choice, it is likely that an abortion ban would be enacted if *Roe* were overruled.

Conclusion: Although there is no abortion ban currently in its statutes, South Carolina is likely to ban abortion if *Roe* is overturned.

Legislative Session in South Carolina: Jan. 11 – June 2, 2005

Source: National Conference of State Legislators (NCSL) website
<http://www.ncsl.org/programs/legman/about/sess2005.htm>

¹⁴⁴ For example, the Legislature has enacted a spousal consent provision, S.C. CODE ANN. § 44-41-20(c) which was struck down by the courts. *Floyd v. Anders*, 440 F. Supp. 535 (D.S.C. 1977), *vacated and remanded on other grounds* 440 U.S. 445 (1979). Additionally, the Legislature has enacted a parental involvement law, S.C. CODE ANN. § 44-41-30-37; a physician-only law, § 44-41-20; a mandatory delay/biased counseling law, § 44-41-330; clinic-licensing requirements, § 44-41-75; and a so-called “partial-birth abortion” ban, § 44-41-85.