

State Senator John Loudon's Informed Consent Provision Earns Committee Consideration

Legislation Would Close Unintended Loophole In Missouri Teen Pregnancy Law

JEFFERSON CITY – Legislation sponsored by Senator John Loudon, R-Ballwin, placing civil liability on anyone violating Missouri's informed consent law was taken up for consideration by the Senate's Judiciary and Civil and Criminal Jurisprudence Committee late last week in the State Capitol.

Missouri's informed consent law requires minors seeking abortions to produce written permission from a parent or guardian before a doctor can proceed with the procedure. Loudon's proposal, Senate Bill 738, would help curb the travel of pregnant minors to states not having similar informed consent laws (such as neighboring Illinois) for the purpose of obtaining abortions by making anyone transporting minors in these instances civilly liable.

"Missouri's informed consent law places a reasonable and rational amount of decision making responsibility on pregnant minors, and the adults legally bound to parental duty for these young women," Loudon said. "The measure I'm advancing effectively closes the borders to the illicit, illegal and potentially dangerous act of what essentially amounts to the reckless trafficking of young, expectant women."

Loudon’s bill would make persons violating Missouri’s informed consent provisions civilly liable to the pregnant minor and to the person required to issue the required informed consent. A court could then award damages, including attorney’s fees and court costs, to those harmed by dodging the intent of Missouri’s informed consent law.

Approval from the judiciary committee, a panel that Loudon co-chairs, would send his loophole-closing measure to the Senate floor for debate by the full body. Should the Senate receive and approve Loudon’s measure as he expects, his proposal travels to the House of Representatives for similar scrutiny, as all bills require joint passage to become law.

Loudon successfully guided a similar measure through the Senate and to the House last year, though the year’s legislative session ended before Representatives could take the bill up for a third and final reading.

“Last year, time – or the lack of time – proved our enemy in getting this bill passed and put on Missouri’s books,” Loudon said. “This time around, we’re ahead of schedule in the legislative process, which will give all lawmakers ample time to consider and ultimately approve a bill that stops the irresponsible circumvention and undermining of current law.”

➤ Senator Loudon represents Missouri’s 7th Senate District.
He can be reached at (573) 751-9763.