

February 19, 2003

**H 36. REPEAL INVOLUNTARY STERILIZATION.** *TO REPEAL THE LAW THAT AUTHORIZES THE INVOLUNTARY STERILIZATION OF PERSONS WHO ARE MENTALLY ILL OR MENTALLY RETARDED AND TO MAKE CONFORMING CHANGES TO THE GENERAL*

*STATUTES.* Repeals GS Ch. 35, Art. 7 as title indicates. Repeals GS 7A-451(a)(10), 90-275 and 108A-14(a)(10) and amends GS 35A-1241(a), 90-21.13(e) and 148-22.2 to delete references to GS Ch. 35, Art. 7, and GS 35A-1203(e) to refer to article as "former." Makes technical changes.

**Intro. by Womble, Luebke, Weiss, Insko.**

Ref. to Health	GS 7A, 35, 35A, 90, 108A, 148
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March 19, 2003

**H 36. REPEAL INVOLUNTARY STERILIZATION.** Intro. 2/19/03. House committee substitute makes the following changes to 1st edition. Adds new GS 35A-1245 to establish procedure to permit sterilization of a mentally ill or mentally retarded ward upon submission of a petition containing: a sworn statement from a NC licensed physician that the procedure is medically necessary and not for purpose of hygiene or convenience; the name and address of the physician who will perform the procedure; a sworn statement from a NC licensed physician regarding whether the ward can provide informed consent to the procedure; and the sworn consent of the ward. Further sets forth procedure for service of sterilization petition, availability of hearing and appeal procedures. Instead of repealing GS 90-275, act provides that GS 90-275 does not affect provisions of GS 35A-1245. Makes technical corrections and conforming changes.

April 17, 2003

**SL 2003-13 (H 36). REPEAL INVOLUNTARY STERILIZATION.** *AN ACT TO REPEAL THE LAW THAT AUTHORIZES THE INVOLUNTARY STERILIZATION OF PERSONS WHO ARE MENTALLY ILL OR MENTALLY RETARDED, TO PERMIT THE STERILIZATION OF MENTALLY ILL OR MENTALLY RETARDED WARDS ONLY WHEN THERE IS A MEDICAL NECESSITY, AND TO MAKE CONFORMING CHANGES TO THE GENERAL STATUTES.* Summarized in *Daily Bulletin* 2/19/03 and 3/19/03. Enacted April 17, 2003. Effective April 17, 2003.