

## HR 1452

For the relief of the parents of Theresa Marie Schiavo.

**Congress:** 109 (2005–2007, Ended)

**Chamber:** House

**Policy Area:** Law

**Introduced:** Mar 20, 2005

**Current Status:** Referred to the House Committee on the Judiciary.

**Latest Action:** Referred to the House Committee on the Judiciary. (Mar 20, 2005)

**Official Text:** <https://www.congress.gov/bill/109th-congress/house-bill/1452>

### Sponsor

**Name:** Rep. Sensenbrenner, F. James, Jr. [R-WI-5]

**Party:** Republican • **State:** WI • **Chamber:** House

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred To	Mar 20, 2005

### Subjects & Policy Tags

**Policy Area:**

Law

### Related Bills

Bill	Relationship	Last Action
109 S 686	Identical bill	<b>Mar 21, 2005:</b> Became Public Law No: 109-3.

Grants jurisdiction to the U.S. District Court for the Middle District of Florida to hear, determine, and render judgment on a suit or claim by or on behalf of Theresa Marie Schiavo (Ms. Schiavo) for the alleged violation of any right of hers under the U.S. Constitution or laws relating to the withholding or withdrawal of food, fluids, or medical treatment necessary to sustain her life.

Grants standing to any parent of Ms. Schiavo to bring a suit under this Act. Allows suit to be brought against any other person who: (1) was a party to State court proceedings relating to the withholding or withdrawal of food, fluids, or medical treatment necessary to sustain Ms. Schiavo's life; or (2) may act pursuant to a State court order authorizing or directing the withholding or withdrawal of food, fluids, or medical treatment necessary to sustain her life.

Declares that in such a suit the District Court shall determine de novo any claim of a violation of any right of Ms. Schiavo's within the scope of this Act, notwithstanding any prior State court determination and regardless of whether such a claim has previously been raised, considered, or decided in State court proceedings. Directs the District Court to entertain and determine the suit without any delay or abstention in favor of State court proceedings, and regardless of whether remedies available in the State courts have been exhausted.

Declares that, notwithstanding any other time limitation, any suit or claim under this Act shall be timely if filed within 30 days after its date of enactment.

Declares that nothing in this Act shall be construed to: (1) create substantive rights not otherwise secured by the Constitution and laws of the United States or of the several States; (2) confer additional jurisdiction on any court to consider any claim related to assisting suicide, or a State law regarding assisting suicide; or (3) constitute a precedent with respect to future legislation.

States that nothing in this Act shall affect the rights of any person under the Patient Self-Determination Act of 1990.

Declares the sense of Congress that the 109th Congress should consider policies regarding the status and legal rights of incapacitated individuals who are incapable of making decisions concerning the provision, withholding, or withdrawal of foods, fluid, or medical care.

---

## Actions Timeline

- **Mar 20, 2005:** Introduced in House
- **Mar 20, 2005:** Introduced in House
- **Mar 20, 2005:** Referred to the House Committee on the Judiciary.