

S 539

Incapacitated Persons Legal Protection Act of 2005

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Law

Introduced: Mar 7, 2005

Current Status: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 34.

Latest Action: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 34. (Mar 8, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/539>

Sponsor

Name: Sen. Martinez, Mel [R-FL]

Party: Republican • **State:** FL • **Chamber:** Senate

Cosponsors (14 total)

| Cosponsor | Party / State | Role | Date Joined |
|------------------------------|---------------|------|--------------|
| Sen. Brownback, Sam [R-KS] | R · KS | | Mar 8, 2005 |
| Sen. Coburn, Tom [R-OK] | R · OK | | Mar 8, 2005 |
| Sen. Inhofe, James M. [R-OK] | R · OK | | Mar 8, 2005 |
| Sen. Santorum, Rick [R-PA] | R · PA | | Mar 8, 2005 |
| Sen. Bunning, Jim [R-KY] | R · KY | | Mar 9, 2005 |
| Sen. Ensign, John [R-NV] | R · NV | | Mar 9, 2005 |
| Sen. Coleman, Norm [R-MN] | R · MN | | Mar 14, 2005 |
| Sen. Sessions, Jeff [R-AL] | R · AL | | Mar 14, 2005 |
| Sen. Vitter, David [R-LA] | R · LA | | Mar 14, 2005 |
| Sen. Alexander, Lamar [R-TN] | R · TN | | Mar 15, 2005 |
| Sen. Cornyn, John [R-TX] | R · TX | | Mar 15, 2005 |
| Sen. DeMint, Jim [R-SC] | R · SC | | Mar 16, 2005 |
| Sen. Stevens, Ted [R-AK] | R · AK | | Mar 16, 2005 |
| Sen. Hagel, Chuck [R-NE] | R · NE | | Mar 17, 2005 |

Committee Activity

No committee referrals or activity are recorded for this bill.

Subjects & Policy Tags

Policy Area:

Law

Related Bills

| Bill | Relationship | Last Action |
|-------------|--------------|--|
| 109 S 686 | Related bill | Mar 21, 2005: Became Public Law No: 109-3. |
| 109 HR 1332 | Related bill | Mar 20, 2005: Read twice and referred to the Committee on the Judiciary. |
| 109 S 653 | Related bill | Mar 20, 2005: Referred to the House Committee on the Judiciary. |
| 109 HR 1334 | Related bill | Mar 16, 2005: Rules Committee Resolution H. Res. 162 Reported to House. Rule provides for consideration of H.R. 1334 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Bill is closed to amendments. |
| 109 HR 1151 | Related bill | Mar 10, 2005: Referred to the Subcommittee on the Constitution. |

Summary (as of Mar 7, 2005)

Incapacitated Persons Legal Protection Act of 2005 - Amends the Federal judicial code to extend habeas corpus protections to persons who are subject to a court order authorizing or directing the withholding or withdrawal of food, fluids, or medical treatment necessary to sustain the person's life.

Deems persons having custody in such cases to encompass parties so authorized or directed. States that there shall be no requirement to produce the body of the incapacitated person at the hearing.

Exempts from this Act those cases in which the incapacitated person indisputably executed a written advance directive while having capacity that clearly authorized the withholding or withdrawal of food, fluids, or necessary medical treatment.

Defines "incapacitated person" to mean an individual presently incapable of making relevant decisions concerning the provision, withholding, or withdrawal of food, fluids, or medical treatment under applicable State law.

Actions Timeline

- **Mar 8, 2005:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 34.
- **Mar 7, 2005:** Introduced in Senate
- **Mar 7, 2005:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.

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