

S 686

A bill to provide for the relief of the parents of Theresa Marie Schiavo.

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Law

Introduced: Mar 20, 2005

Current Status: Became Public Law No: 109-3.

Latest Action: Became Public Law No: 109-3. (Mar 21, 2005)

Law: 109-3 (Enacted Mar 21, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/686>

Sponsor

Name: Sen. Frist, William H. [R-TN]

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

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Martinez, Mel [R-FL]	R · FL		Mar 20, 2005
Sen. Santorum, Rick [R-PA]	R · PA		Mar 20, 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 HRES 182	Procedurally related	Jun 29, 2006: Pursuant to the provisions of H. Res. 897, H. Res. 182 is laid on the table.
109 HR 1332	Related bill	Mar 20, 2005: Read twice and referred to the Committee on the Judiciary.
109 HR 1452	Identical bill	Mar 20, 2005: Referred to the House 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.
109 S 539	Related bill	Mar 8, 2005: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 34.

(This measure has not been amended since it was introduced. The expanded summary of the Senate passed version is repeated here.)

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 21, 2005:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 203 - 58 (Roll no. 90).(text: CR 3/20/2005 H1700-1701)
- **Mar 21, 2005:** On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 203 - 58 (Roll no. 90). (text: CR 3/20/2005 H1700-1701)
- **Mar 21, 2005:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 21, 2005:** Rules Committee Resolution H. Res. 182 Reported to House. Rule provides for consideration of S. 686 with 10 minutes 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.
- **Mar 21, 2005:** Cleared for White House.
- **Mar 21, 2005:** Presented to President.
- **Mar 21, 2005:** Signed by President.
- **Mar 21, 2005:** Became Public Law No: 109-3.
- **Mar 20, 2005:** Introduced in Senate
- **Mar 20, 2005:** Passed/agreed to in Senate: Introduced in the Senate, read twice, considered, read the third time, and passed without amendment by Voice Vote.(consideration: CR S3099-3103; text as passed Senate: CR S3103; text of measure as introduced: CR S3105)
- **Mar 20, 2005:** Introduced in the Senate, read twice, considered, read the third time, and passed without amendment by Voice Vote. (consideration: CR S3099-3103; text as passed Senate: CR S3103; text of measure as introduced: CR S3105)
- **Mar 20, 2005:** Message on Senate action sent to the House.
- **Mar 20, 2005:** Received in the House.
- **Mar 20, 2005:** Held at the desk.
- **Mar 20, 2005:** Mr. Sensenbrenner moved to suspend the rules and pass the bill.
- **Mar 20, 2005:** Considered under suspension of the rules. (consideration: CR H1700-1723, CR 3/21/2005 H1723-1728)
- **Mar 20, 2005:** DEBATE - Pursuant to a previous special order, the House proceeded with 3 hours of debate on the motion to suspend the rules and pass S. 686.

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