

## HR 748

Child Interstate Abortion Notification Act

**Congress:** 109 (2005–2007, Ended)

**Chamber:** House

**Policy Area:** Crime and Law Enforcement

**Introduced:** Feb 10, 2005

**Current Status:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 157.

**Latest Action:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 157.  
(Jul 11, 2005)

**Official Text:** <https://www.congress.gov/bill/109th-congress/house-bill/748>

### Sponsor

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**Name:** Rep. Ros-Lehtinen, Ileana [R-FL-18]

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

**Cosponsors** (129 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Aderholt, Robert B. [R-AL-4]	R · AL		Feb 10, 2005
Rep. Akin, W. Todd [R-MO-2]	R · MO		Feb 10, 2005
Rep. Alexander, Rodney [R-LA-5]	R · LA		Feb 10, 2005
Rep. Bachus, Spencer [R-AL-6]	R · AL		Feb 10, 2005
Rep. Baker, Richard H. [R-LA-6]	R · LA		Feb 10, 2005
Rep. Barrett, J. Gresham [R-SC-3]	R · SC		Feb 10, 2005
Rep. Bartlett, Roscoe G. [R-MD-6]	R · MD		Feb 10, 2005
Rep. Berry, Marion [D-AR-1]	D · AR		Feb 10, 2005
Rep. Blackburn, Marsha [R-TN-7]	R · TN		Feb 10, 2005
Rep. Blunt, Roy [R-MO-7]	R · MO		Feb 10, 2005
Rep. Boehner, John A. [R-OH-8]	R · OH		Feb 10, 2005
Rep. Boozman, John [R-AR-3]	R · AR		Feb 10, 2005
Rep. Brady, Kevin [R-TX-8]	R · TX		Feb 10, 2005
Rep. Burton, Dan [R-IN-5]	R · IN		Feb 10, 2005
Rep. Buyer, Steve [R-IN-4]	R · IN		Feb 10, 2005
Rep. Cantor, Eric [R-VA-7]	R · VA		Feb 10, 2005
Rep. Chabot, Steve [R-OH-1]	R · OH		Feb 10, 2005
Rep. Chocola, Chris [R-IN-2]	R · IN		Feb 10, 2005
Rep. Costello, Jerry F. [D-IL-12]	D · IL		Feb 10, 2005
Rep. Cubin, Barbara [R-WY-At Large]	R · WY		Feb 10, 2005
Rep. Cunningham, Randy (Duke) [R-CA-50]	R · CA		Feb 10, 2005
Rep. Davis, Geoff [R-KY-4]	R · KY		Feb 10, 2005
Rep. Davis, Jo Ann [R-VA-1]	R · VA		Feb 10, 2005
Rep. Davis, Lincoln [D-TN-4]	D · TN		Feb 10, 2005
Rep. DeLay, Tom [R-TX-22]	R · TX		Feb 10, 2005
Rep. Diaz-Balart, Lincoln [R-FL-21]	R · FL		Feb 10, 2005
Rep. Diaz-Balart, Mario [R-FL-25]	R · FL		Feb 10, 2005
Rep. Doolittle, John T. [R-CA-4]	R · CA		Feb 10, 2005
Rep. Drake, Thelma D. [R-VA-2]	R · VA		Feb 10, 2005
Rep. Ehlers, Vernon J. [R-MI-3]	R · MI		Feb 10, 2005
Rep. Emerson, Jo Ann [R-MO-8]	R · MO		Feb 10, 2005
Rep. Ferguson, Mike [R-NJ-7]	R · NJ		Feb 10, 2005
Rep. Forbes, J. Randy [R-VA-4]	R · VA		Feb 10, 2005
Rep. Fossella, Vito [R-NY-13]	R · NY		Feb 10, 2005
Rep. Foxx, Virginia [R-NC-5]	R · NC		Feb 10, 2005
Rep. Franks, Trent [R-AZ-2]	R · AZ		Feb 10, 2005
Rep. Garrett, Scott [R-NJ-5]	R · NJ		Feb 10, 2005
Rep. Goode, Virgil H., Jr. [R-VA-5]	R · VA		Feb 10, 2005
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Feb 10, 2005
Rep. Green, Mark [R-WI-8]	R · WI		Feb 10, 2005
Rep. Gutknecht, Gil [R-MN-1]	R · MN		Feb 10, 2005

Cosponsor	Party / State	Role	Date Joined
Rep. Hart, Melissa A. [R-PA-4]	R · PA		Feb 10, 2005
Rep. Hayes, Robin [R-NC-8]	R · NC		Feb 10, 2005
Rep. Hayworth, J. D. [R-AZ-5]	R · AZ		Feb 10, 2005
Rep. Hoekstra, Peter [R-MI-2]	R · MI		Feb 10, 2005
Rep. Hostettler, John N. [R-IN-8]	R · IN		Feb 10, 2005
Rep. Hunter, Duncan [R-CA-52]	R · CA		Feb 10, 2005
Rep. Hyde, Henry J. [R-IL-6]	R · IL		Feb 10, 2005
Rep. Inglis, Bob [R-SC-4]	R · SC		Feb 10, 2005
Rep. Johnson, Sam [R-TX-3]	R · TX		Feb 10, 2005
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		Feb 10, 2005
Rep. Kennedy, Mark R. [R-MN-6]	R · MN		Feb 10, 2005
Rep. King, Peter T. [R-NY-3]	R · NY		Feb 10, 2005
Rep. King, Steve [R-IA-5]	R · IA		Feb 10, 2005
Rep. LaHood, Ray [R-IL-18]	R · IL		Feb 10, 2005
Rep. Latham, Tom [R-IA-4]	R · IA		Feb 10, 2005
Rep. LaTourette, Steven C. [R-OH-14]	R · OH		Feb 10, 2005
Rep. Lewis, Ron [R-KY-2]	R · KY		Feb 10, 2005
Rep. Manzullo, Donald A. [R-IL-16]	R · IL		Feb 10, 2005
Rep. Marshall, Jim [D-GA-3]	D · GA		Feb 10, 2005
Rep. McCaul, Michael T. [R-TX-10]	R · TX		Feb 10, 2005
Rep. McCotter, Thaddeus G. [R-MI-11]	R · MI		Feb 10, 2005
Rep. McCrery, Jim [R-LA-4]	R · LA		Feb 10, 2005
Rep. McHenry, Patrick T. [R-NC-10]	R · NC		Feb 10, 2005
Rep. McIntyre, Mike [D-NC-7]	D · NC		Feb 10, 2005
Rep. McMorris, Cathy [R-WA-5]	R · WA		Feb 10, 2005
Rep. Miller, Candice S. [R-MI-10]	R · MI		Feb 10, 2005
Rep. Musgrave, Marilyn N. [R-CO-4]	R · CO		Feb 10, 2005
Rep. Myrick, Sue Wilkins [R-NC-9]	R · NC		Feb 10, 2005
Rep. Neugebauer, Randy [R-TX-19]	R · TX		Feb 10, 2005
Rep. Ney, Robert W. [R-OH-18]	R · OH		Feb 10, 2005
Rep. Northup, Anne M. [R-KY-3]	R · KY		Feb 10, 2005
Rep. Oberstar, James L. [D-MN-8]	D · MN		Feb 10, 2005
Rep. Pence, Mike [R-IN-6]	R · IN		Feb 10, 2005
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Feb 10, 2005
Rep. Peterson, John E. [R-PA-5]	R · PA		Feb 10, 2005
Rep. Pickering, Charles W. "Chip" [R-MS-3]	R · MS		Feb 10, 2005
Rep. Pitts, Joseph R. [R-PA-16]	R · PA		Feb 10, 2005
Rep. Platts, Todd Russell [R-PA-19]	R · PA		Feb 10, 2005
Rep. Portman, Rob [R-OH-2]	R · OH		Feb 10, 2005
Rep. Putnam, Adam H. [R-FL-12]	R · FL		Feb 10, 2005
Rep. Renzi, Rick [R-AZ-1]	R · AZ		Feb 10, 2005
Rep. Rogers, Harold [R-KY-5]	R · KY		Feb 10, 2005

Cosponsor	Party / State	Role	Date Joined
Rep. Rogers, Mike D. [R-AL-3]	R · AL		Feb 10, 2005
Rep. Rogers, Mike J. [R-MI-8]	R · MI		Feb 10, 2005
Rep. Ryun, Jim [R-KS-2]	R · KS		Feb 10, 2005
Rep. Sessions, Pete [R-TX-32]	R · TX		Feb 10, 2005
Rep. Shimkus, John [R-IL-19]	R · IL		Feb 10, 2005
Rep. Shuster, Bill [R-PA-9]	R · PA		Feb 10, 2005
Rep. Smith, Christopher H. [R-NJ-4]	R · NJ		Feb 10, 2005
Rep. Smith, Lamar [R-TX-21]	R · TX		Feb 10, 2005
Rep. Souder, Mark E. [R-IN-3]	R · IN		Feb 10, 2005
Rep. Stearns, Cliff [R-FL-6]	R · FL		Feb 10, 2005
Rep. Stupak, Bart [D-MI-1]	D · MI		Feb 10, 2005
Rep. Sullivan, John [R-OK-1]	R · OK		Feb 10, 2005
Rep. Tancredo, Thomas G. [R-CO-6]	R · CO		Feb 10, 2005
Rep. Taylor, Charles H. [R-NC-11]	R · NC		Feb 10, 2005
Rep. Terry, Lee [R-NE-2]	R · NE		Feb 10, 2005
Rep. Tiahrt, Todd [R-KS-4]	R · KS		Feb 10, 2005
Rep. Tiberi, Patrick J. [R-OH-12]	R · OH		Feb 10, 2005
Rep. Wamp, Zach [R-TN-3]	R · TN		Feb 10, 2005
Rep. Weldon, Dave [R-FL-15]	R · FL		Feb 10, 2005
Rep. Westmoreland, Lynn A. [R-GA-8]	R · GA		Feb 10, 2005
Rep. Wicker, Roger F. [R-MS-1]	R · MS		Feb 10, 2005
Rep. Wilson, Joe [R-SC-2]	R · SC		Feb 10, 2005
Rep. Everett, Terry [R-AL-2]	R · AL		Feb 15, 2005
Rep. Herger, Wally [R-CA-2]	R · CA		Feb 15, 2005
Rep. Moran, Jerry [R-KS-1]	R · KS		Feb 15, 2005
Rep. Otter, C. L. (Butch) [R-ID-1]	R · ID		Feb 15, 2005
Rep. Taylor, Gene [D-MS-4]	D · MS		Feb 15, 2005
Rep. Hall, Ralph M. [R-TX-4]	R · TX		Feb 17, 2005
Rep. Kline, John [R-MN-2]	R · MN		Feb 17, 2005
Rep. McHugh, John M. [R-NY-23]	R · NY		Feb 17, 2005
Rep. Miller, Jeff [R-FL-1]	R · FL		Feb 17, 2005
Rep. Ryan, Paul [R-WI-1]	R · WI		Feb 17, 2005
Rep. Simpson, Michael K. [R-ID-2]	R · ID		Feb 17, 2005
Rep. Skelton, Ike [D-MO-4]	D · MO		Feb 17, 2005
Rep. Fortenberry, Jeff [R-NE-1]	R · NE		Mar 3, 2005
Rep. Linder, John [R-GA-7]	R · GA		Mar 8, 2005
Rep. Petri, Thomas E. [R-WI-6]	R · WI		Mar 8, 2005
Rep. Bonilla, Henry [R-TX-23]	R · TX		Mar 10, 2005
Rep. Camp, Dave [R-MI-4]	R · MI		Mar 10, 2005
Rep. Boustany, Charles W., Jr. [R-LA-7]	R · LA		Apr 5, 2005
Rep. Norwood, Charles W. [R-GA-9]	R · GA		Apr 5, 2005
Rep. Turner, Michael R. [R-OH-3]	R · OH		Apr 6, 2005

Cosponsor	Party / State	Role	Date Joined
Rep. Shadegg, John B. [R-AZ-3]	R · AZ		Apr 12, 2005
Rep. Wolf, Frank R. [R-VA-10]	R · VA		Apr 12, 2005
Rep. Deal, Nathan [R-GA-10]	R · GA		Apr 20, 2005
Rep. Schwarz, John J.H. "Joe" [R-MI-7]	R · MI		Apr 21, 2005

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Reported by	Mar 17, 2005

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
109 S 403	Related bill	<b>Sep 29, 2006:</b> Cloture on the motion to concur in House amendment not invoked in Senate by Yea-Nay Vote. 57 - 42. Record Vote Number: 263. (consideration: CR S10616-10618)
109 HRES 258	Related bill	<b>May 5, 2005:</b> Motion to reconsider laid on the table Agreed to without objection.
109 HRES 253	Related bill	<b>May 3, 2005:</b> On motion to table the measure Agreed to by the Yeas and Nays: 220 - 196 (Roll no. 151). (text: CR H2768-2769)
109 S 396	Related bill	<b>Feb 16, 2005:</b> Read twice and referred to the Committee on the Judiciary.
109 S 8	Related bill	<b>Jan 24, 2005:</b> Read twice and referred to the Committee on the Judiciary.

**(This measure has not been amended since it was reported to the House on April 21, 2005. The summary of that version is repeated here.)**

Child Interstate Abortion Notification Act - Amends the federal criminal code to prohibit transporting a minor across a state line to obtain an abortion (deems such transporting to be a de facto abridgment of the right of a parent under any law in the minor's state of residence that requires parental involvement in the minor's abortion decision). Makes an exception for an abortion necessary to save the life of the minor.

Protects from prosecution or civil liability the minor or the minor's parents for violations of this Act.

Makes it an affirmative defense to a prosecution or civil action under this Act that a defendant reasonably believed that before the minor obtained the abortion, the required parental consent or notification or judicial authorization took place.

Authorizes any parent who suffers harm from a violation of this Act to seek relief in a civil action.

Defines "abortion" as the termination of a pregnancy with an intention other than to increase the probability of a live birth, preserve the life or health of the child after live birth, remove a dead unborn child who died as the result of a spontaneous abortion, accidental trauma, or a criminal assault on the pregnant female or her unborn child.

Defines "parent" to include a guardian, legal custodian, or person standing in loco parentis.

Imposes a fine and/or prison term of up to one year on a physician who performs or induces an abortion on an out-of-state minor in violation of parental notification requirements. Requires such physician to give 24-hour actual or constructive notice to the parent of a minor seeking an abortion. Allows exceptions if: (1) the physician complies with parental notification requirements in the physician's state; (2) the physician is given documentation that a court in the minor's state of residence has waived parental notification or otherwise authorized the minor's abortion; (3) the minor provides a written statement that she is the victim of sexual abuse, neglect, or physical abuse by a parent and the physician notifies appropriate state officials of such abuse; or (4) the abortion is necessary to save the life of the minor.

## Actions Timeline

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- **Jul 11, 2005:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 157.
- **Jul 1, 2005:** Read the first time. Placed on Senate Legislative Calendar under Read the First Time.
- **May 5, 2005:** Supplemental report filed by the Committee on Judiciary, H. Rept. 109-51, Part II.
- **May 5, 2005:** Supplemental report filed by the Committee on Judiciary, H. Rept. 109-51, Part II.
- **Apr 28, 2005:** Received in the Senate.
- **Apr 27, 2005:** Rule H. Res. 236 passed House.
- **Apr 27, 2005:** Considered under the provisions of rule H. Res. 236. (consideration: CR H2593-2616)
- **Apr 27, 2005:** Rule provides for consideration of H.R. 748 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Specified amendments are in order.
- **Apr 27, 2005:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 236 and Rule XVIII.
- **Apr 27, 2005:** The Speaker designated the Honorable Mark Foley to act as Chairman of the Committee.
- **Apr 27, 2005:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 748.
- **Apr 27, 2005:** DEBATE - Pursuant to the provisions of H. Res. 236 the Committee of the Whole proceeded with 20 minutes of debate on the Scott (VA) amendment.
- **Apr 27, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Scott (VA) amendment the Chair put the question on agreeing to the amendment and by voice vote announced that the noes had prevailed. Mr. Scott (VA) demanded a recorded vote and the Chair postponed further consideration until later in the legislative day.
- **Apr 27, 2005:** DEBATE - Pursuant to the provisions of H. Res. 236 the Committee of the Whole proceeded with 20 minutes of debate on the Jackson-Lee (TX) amendment.
- **Apr 27, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Jackson-Lee (TX) amendment the Chair put the question on agreeing to the amendment and by voice vote announced that the noes had prevailed. Ms. Jackson -Lee (TX) demanded a recorded vote and the Chair postponed further consideration until later in the legislative day.
- **Apr 27, 2005:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of specified amendments which had been debated earlier and on which further proceedings had been postponed.
- **Apr 27, 2005:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 748.
- **Apr 27, 2005:** The House adopted the amendment as agreed to by the Committee of the Whole House on the state of the Union.
- **Apr 27, 2005:** The previous question was ordered pursuant to the rule. (consideration: CR H2614)
- **Apr 27, 2005:** Mr. Nadler moved to recommit with instructions to Judiciary.
- **Apr 27, 2005:** DEBATE - The House proceeded with 10 minutes of debate on the Nadler motion to recommit.
- **Apr 27, 2005:** On motion to recommit with instructions Failed by the Yeas and Nays: 183 - 245 (Roll no. 143). (consideration: CR H2614-2615; text: CR H2614)
- **Apr 27, 2005:** Passed/agreed to in House: On passage Passed by recorded vote: 270 - 157 (Roll no. 144).(text: CR H2606-2607)
- **Apr 27, 2005:** On passage Passed by recorded vote: 270 - 157 (Roll no. 144). (text: CR H2606-2607)
- **Apr 27, 2005:** Motion to reconsider laid on the table Agreed to without objection.
- **Apr 26, 2005:** Rules Committee Resolution H. Res. 236 Reported to House. Rule provides for consideration of H.R. 748 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Specified amendments are in order.
- **Apr 21, 2005:** Reported (Amended) by the Committee on Judiciary. H. Rept. 109-51.
- **Apr 21, 2005:** Reported (Amended) by the Committee on Judiciary. H. Rept. 109-51.
- **Apr 21, 2005:** Placed on the Union Calendar, Calendar No. 30.
- **Apr 13, 2005:** Sponsor introductory remarks on measure. (CR H1900, H1943)
- **Apr 13, 2005:** Committee Consideration and Mark-up Session Held.
- **Apr 13, 2005:** Ordered to be Reported (Amended) by the Yeas and Nays: 20 - 13.
- **Apr 12, 2005:** Sponsor introductory remarks on measure. (CR H1872-1873)

- Mar 17, 2005:** Subcommittee Consideration and Mark-up Session Held.
- **Mar 17, 2005:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote.
  - **Mar 3, 2005:** Subcommittee Hearings Held.
  - **Mar 1, 2005:** Referred to the Subcommittee on the Constitution.
  - **Feb 10, 2005:** Introduced in House
  - **Feb 10, 2005:** Introduced in House
  - **Feb 10, 2005:** Referred to the House Committee on the Judiciary.