

## S 3290

Prenatal Nondiscrimination Act (PRENDA) of 2012

**Congress:** 112 (2011–2013, Ended)

**Chamber:** Senate

**Policy Area:** Crime and Law Enforcement

**Introduced:** Jun 13, 2012

**Current Status:** Read twice and referred to the Committee on the Judiciary.

**Latest Action:** Read twice and referred to the Committee on the Judiciary. (Jun 13, 2012)

**Official Text:** <https://www.congress.gov/bill/112th-congress/senate-bill/3290>

### Sponsor

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**Name:** Sen. Vitter, David [R-LA]

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

## Cosponsors (32 total)

| Cosponsor                         | Party / State | Role | Date Joined  |
|-----------------------------------|---------------|------|--------------|
| Sen. Ayotte, Kelly [R-NH]         | R · NH        |      | Jun 13, 2012 |
| Sen. Barrasso, John [R-WY]        | R · WY        |      | Jun 13, 2012 |
| Sen. Boozman, John [R-AR]         | R · AR        |      | Jun 13, 2012 |
| Sen. Chambliss, Saxby [R-GA]      | R · GA        |      | Jun 13, 2012 |
| Sen. Coats, Daniel [R-IN]         | R · IN        |      | Jun 13, 2012 |
| Sen. Coburn, Tom [R-OK]           | R · OK        |      | Jun 13, 2012 |
| Sen. Cochran, Thad [R-MS]         | R · MS        |      | Jun 13, 2012 |
| Sen. Cornyn, John [R-TX]          | R · TX        |      | Jun 13, 2012 |
| Sen. Crapo, Mike [R-ID]           | R · ID        |      | Jun 13, 2012 |
| Sen. DeMint, Jim [R-SC]           | R · SC        |      | Jun 13, 2012 |
| Sen. Enzi, Michael B. [R-WY]      | R · WY        |      | Jun 13, 2012 |
| Sen. Graham, Lindsey [R-SC]       | R · SC        |      | Jun 13, 2012 |
| Sen. Hoeven, John [R-ND]          | R · ND        |      | Jun 13, 2012 |
| Sen. Hutchison, Kay Bailey [R-TX] | R · TX        |      | Jun 13, 2012 |
| Sen. Inhofe, James M. [R-OK]      | R · OK        |      | Jun 13, 2012 |
| Sen. Isakson, Johnny [R-GA]       | R · GA        |      | Jun 13, 2012 |
| Sen. Johanns, Mike [R-NE]         | R · NE        |      | Jun 13, 2012 |
| Sen. Johnson, Ron [R-WI]          | R · WI        |      | Jun 13, 2012 |
| Sen. Lee, Mike [R-UT]             | R · UT        |      | Jun 13, 2012 |
| Sen. McConnell, Mitch [R-KY]      | R · KY        |      | Jun 13, 2012 |
| Sen. Risch, James E. [R-ID]       | R · ID        |      | Jun 13, 2012 |
| Sen. Roberts, Pat [R-KS]          | R · KS        |      | Jun 13, 2012 |
| Sen. Sessions, Jeff [R-AL]        | R · AL        |      | Jun 13, 2012 |
| Sen. Thune, John [R-SD]           | R · SD        |      | Jun 13, 2012 |
| Sen. Wicker, Roger F. [R-MS]      | R · MS        |      | Jun 13, 2012 |
| Sen. Blunt, Roy [R-MO]            | R · MO        |      | Jun 19, 2012 |
| Sen. Burr, Richard [R-NC]         | R · NC        |      | Jun 19, 2012 |
| Sen. Kyl, Jon [R-AZ]              | R · AZ        |      | Jun 19, 2012 |
| Sen. Toomey, Patrick [R-PA]       | R · PA        |      | Jun 20, 2012 |
| Sen. Grassley, Chuck [R-IA]       | R · IA        |      | Jun 28, 2012 |
| Sen. Moran, Jerry [R-KS]          | R · KS        |      | Jul 16, 2012 |
| Sen. Rubio, Marco [R-FL]          | R · FL        |      | Jul 23, 2012 |

## Committee Activity

| Committee           | Chamber | Activity    | Date         |
|---------------------|---------|-------------|--------------|
| Judiciary Committee | Senate  | Referred To | Jun 13, 2012 |

## Subjects & Policy Tags

### Policy Area:

Crime and Law Enforcement

## Related Bills

| Bill        | Relationship | Last Action   |
|-------------|--------------|---|
| 112 HR 3541 | Related bill | May 31, 2012: On motion to suspend the rules and pass the bill, as amended Failed by the Yeas and Nays: (2/3 required): 246 - 168 (Roll no. 299). |

## Summary (as of Jun 13, 2012)

Prenatal Nondiscrimination Act (PRENDA) of 2012 - Imposes criminal penalties on anyone who knowingly or knowingly attempts to: (1) perform an abortion knowing that the abortion is sought based on the sex or gender of the child, (2) use force or the threat of force to intentionally injure or intimidate any person for the purpose of coercing a sex-selection abortion, (3) solicit or accept funds for the performance of such an abortion, or (4) transport a woman into the United States or across a state line for the purpose of obtaining such an abortion.

Defines "sex-selection abortion" as an abortion undertaken to eliminate an unborn child based on the sex or gender of the child.

Excludes from the definition of "abortion" actions taken to terminate a pregnancy if the intent is to save the life or preserve the health of the unborn child, remove a dead unborn child caused by spontaneous abortion, or remove an ectopic pregnancy.

Authorizes civil actions, for verifiable money damages for injuries and punitive damages, by: (1) fathers, or maternal grandparents if the mother is an unemancipated minor, of unborn children who are the subject of an abortion performed or attempted through any of the above violations; and (2) women upon whom an abortion has been performed with a knowing or attempted use of force or threat of force to intentionally injure or intimidate any person for the purpose of coercing a sex-selection abortion.

Authorizes, to prevent an abortion provider from performing or attempting further abortions in violation of this Act, injunctive relief to be obtained by the women upon whom such an abortion is performed or attempted, spouses or parents of a woman upon whom such an abortion is performed, or the Attorney General (DOJ).

Deems a violation of this Act to be prohibited discrimination under title VI (Federally Assisted Programs) of the Civil Rights Act of 1964. (Violators of title VI lose federal funding.)

Requires a medical or mental health professional to report known or suspected violations to law enforcement authorities. Imposes criminal penalties for a failure to so report.

Prohibits a woman having such an abortion from being prosecuted or held civilly liable.

Prohibits this Act from being construed to require that a healthcare provider has an affirmative duty to inquire as to the motivation for the abortion, absent the healthcare provider having knowledge or information that the abortion is sought based on the sex or gender of the child.

## Actions Timeline

- Jun 13, 2012: Introduced in Senate
- Jun 13, 2012: Read twice and referred to the Committee on the Judiciary.