

## S 311

Born-Alive Abortion Survivors Protection Act

**Congress:** 116 (2019–2021, Ended)

**Chamber:** Senate

**Policy Area:** Crime and Law Enforcement

**Introduced:** Jan 31, 2019

**Current Status:** Cloture on the motion to proceed to the measure not invoked in Senate by Yea-Nay Vote. 56 - 41. Reco

**Latest Action:** Cloture on the motion to proceed to the measure not invoked in Senate by Yea-Nay Vote. 56 - 41. Record Vote Number: 58. (CR S1136) (Feb 25, 2020)

**Official Text:** <https://www.congress.gov/bill/116th-congress/senate-bill/311>

### Sponsor

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**Name:** Sen. Sasse, Ben [R-NE]

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

**Cosponsors** (50 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Barrasso, John [R-WY]	R · WY		Jan 31, 2019
Sen. Blackburn, Marsha [R-TN]	R · TN		Jan 31, 2019
Sen. Blunt, Roy [R-MO]	R · MO		Jan 31, 2019
Sen. Boozman, John [R-AR]	R · AR		Jan 31, 2019
Sen. Braun, Mike [R-IN]	R · IN		Jan 31, 2019
Sen. Burr, Richard [R-NC]	R · NC		Jan 31, 2019
Sen. Cassidy, Bill [R-LA]	R · LA		Jan 31, 2019
Sen. Cornyn, John [R-TX]	R · TX		Jan 31, 2019
Sen. Cotton, Tom [R-AR]	R · AR		Jan 31, 2019
Sen. Cramer, Kevin [R-ND]	R · ND		Jan 31, 2019
Sen. Crapo, Mike [R-ID]	R · ID		Jan 31, 2019
Sen. Cruz, Ted [R-TX]	R · TX		Jan 31, 2019
Sen. Daines, Steve [R-MT]	R · MT		Jan 31, 2019
Sen. Enzi, Michael B. [R-WY]	R · WY		Jan 31, 2019
Sen. Ernst, Joni [R-IA]	R · IA		Jan 31, 2019
Sen. Fischer, Deb [R-NE]	R · NE		Jan 31, 2019
Sen. Graham, Lindsey [R-SC]	R · SC		Jan 31, 2019
Sen. Grassley, Chuck [R-IA]	R · IA		Jan 31, 2019
Sen. Hawley, Josh [R-MO]	R · MO		Jan 31, 2019
Sen. Hoeven, John [R-ND]	R · ND		Jan 31, 2019
Sen. Hyde-Smith, Cindy [R-MS]	R · MS		Jan 31, 2019
Sen. Inhofe, James M. [R-OK]	R · OK		Jan 31, 2019
Sen. Isakson, Johnny [R-GA]	R · GA		Jan 31, 2019
Sen. Johnson, Ron [R-WI]	R · WI		Jan 31, 2019
Sen. Kennedy, John [R-LA]	R · LA		Jan 31, 2019
Sen. Lankford, James [R-OK]	R · OK		Jan 31, 2019
Sen. McConnell, Mitch [R-KY]	R · KY		Jan 31, 2019
Sen. Moran, Jerry [R-KS]	R · KS		Jan 31, 2019
Sen. Perdue, David [R-GA]	R · GA		Jan 31, 2019
Sen. Portman, Rob [R-OH]	R · OH		Jan 31, 2019
Sen. Risch, James E. [R-ID]	R · ID		Jan 31, 2019
Sen. Roberts, Pat [R-KS]	R · KS		Jan 31, 2019
Sen. Romney, Mitt [R-UT]	R · UT		Jan 31, 2019
Sen. Rounds, Mike [R-SD]	R · SD		Jan 31, 2019
Sen. Rubio, Marco [R-FL]	R · FL		Jan 31, 2019
Sen. Scott, Tim [R-SC]	R · SC		Jan 31, 2019
Sen. Thune, John [R-SD]	R · SD		Jan 31, 2019
Sen. Tillis, Thomas [R-NC]	R · NC		Jan 31, 2019
Sen. Wicker, Roger F. [R-MS]	R · MS		Jan 31, 2019
Sen. Young, Todd [R-IN]	R · IN		Jan 31, 2019
Sen. Alexander, Lamar [R-TN]	R · TN		Feb 4, 2019

Cosponsor	Party / State	Role	Date Joined
Sen. Lee, Mike [R-UT]	R · UT		Feb 4, 2019
Sen. Sullivan, Dan [R-AK]	R · AK		Feb 4, 2019
Sen. Capito, Shelley Moore [R-WV]	R · WV		Feb 5, 2019
Sen. Toomey, Patrick [R-PA]	R · PA		Feb 5, 2019
Sen. McSally, Martha [R-AZ]	R · AZ		Feb 6, 2019
Sen. Paul, Rand [R-KY]	R · KY		Feb 7, 2019
Sen. Scott, Rick [R-FL]	R · FL		Feb 7, 2019
Sen. Shelby, Richard C. [R-AL]	R · AL		Feb 14, 2019
Sen. Gardner, Cory [R-CO]	R · CO		Feb 25, 2019

## Committee Activity

*No committee referrals or activity are recorded for this bill.*

## Subjects & Policy Tags

### Policy Area:

Crime and Law Enforcement

## Related Bills

Bill	Relationship	Last Action
116 HR 8923	Related bill	<b>Dec 9, 2020:</b> Referred to the House Committee on the Judiciary.
116 S 130	Related bill	<b>Feb 11, 2020:</b> Committee on the Judiciary. Hearings held.
116 HR 962	Related bill	<b>Mar 22, 2019:</b> Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

## Summary (as of Jan 31, 2019)

### Born-Alive Abortion Survivors Protection Act

This bill establishes requirements for the degree of care a health care practitioner must exercise in the event a child is born alive following an abortion or attempted abortion.

A health care practitioner who is present must (1) exercise the same degree of care as reasonably provided to another child born alive at the same gestational age, and (2) immediately admit the child to a hospital. The bill also requires a health care practitioner or other employee to immediately report any failure to comply with this requirement to law enforcement.

A person who violates the requirements is subject to criminal penalties—a fine, up to five years in prison, or both.

Additionally, an individual who intentionally kills or attempts to kill a child born alive is subject to prosecution for murder.

The bill bars the criminal prosecution of a mother of a child born alive for conspiracy to violate these provisions, for being an accessory after the fact, or for concealment of felony.

A woman who undergoes an abortion or attempted abortion may file a civil action for damages against an individual who violates this bill.

## Actions Timeline

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- **Feb 25, 2020:** Cloture on the motion to proceed to the measure not invoked in Senate by Yea-Nay Vote. 56 - 41. Record Vote Number: 58. (CR S1136)
- **Feb 13, 2020:** Motion to proceed to consideration of measure made in Senate. (CR S1062)
- **Feb 13, 2020:** Cloture motion on the motion to proceed to the measure presented in Senate. (CR S1062)
- **Feb 13, 2020:** Motion to proceed to consideration of measure withdrawn in Senate. (CR S1062)
- **Feb 25, 2019:** Motion to proceed to measure considered in Senate. (CR S1414)
- **Feb 25, 2019:** Cloture on the motion to proceed not invoked in Senate by Yea-Nay Vote. 53 - 44. Record Vote Number: 27. (CR S1422)
- **Feb 14, 2019:** Motion to proceed to consideration of measure made in Senate. (CR S1364)
- **Feb 14, 2019:** Cloture motion on the motion to proceed to the consideration of measure presented in Senate. (CR S1364)
- **Feb 4, 2019:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 17.
- **Jan 31, 2019:** Introduced in Senate
- **Jan 31, 2019:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.