

## HR 962

Born-Alive Abortion Survivors Protection Act

**Congress:** 116 (2019–2021, Ended)

**Chamber:** House

**Policy Area:** Crime and Law Enforcement

**Introduced:** Feb 5, 2019

**Current Status:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

**Latest Action:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security. (Mar 22, 2019)

**Official Text:** <https://www.congress.gov/bill/116th-congress/house-bill/962>

### Sponsor

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**Name:** Rep. Wagner, Ann [R-MO-2]

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

**Cosponsors** (193 total)

| <b>Cosponsor</b>                     | <b>Party / State</b> | <b>Role</b> | <b>Date Joined</b> |
|--------------------------------------|----------------------|-------------|--------------------|
| Rep. Abraham, Ralph Lee [R-LA-5]     | R · LA               |             | Feb 5, 2019        |
| Rep. Allen, Rick W. [R-GA-12]        | R · GA               |             | Feb 5, 2019        |
| Rep. Babin, Brian [R-TX-36]          | R · TX               |             | Feb 5, 2019        |
| Rep. Bacon, Don [R-NE-2]             | R · NE               |             | Feb 5, 2019        |
| Rep. Banks, Jim [R-IN-3]             | R · IN               |             | Feb 5, 2019        |
| Rep. Barr, Andy [R-KY-6]             | R · KY               |             | Feb 5, 2019        |
| Rep. Bost, Mike [R-IL-12]            | R · IL               |             | Feb 5, 2019        |
| Rep. Chabot, Steve [R-OH-1]          | R · OH               |             | Feb 5, 2019        |
| Rep. Cheney, Liz [R-WY-At Large]     | R · WY               |             | Feb 5, 2019        |
| Rep. Collins, Chris [R-NY-27]        | R · NY               |             | Feb 5, 2019        |
| Rep. Collins, Doug [R-GA-9]          | R · GA               |             | Feb 5, 2019        |
| Rep. Davidson, Warren [R-OH-8]       | R · OH               |             | Feb 5, 2019        |
| Rep. Duncan, Jeff [R-SC-3]           | R · SC               |             | Feb 5, 2019        |
| Rep. Emmer, Tom [R-MN-6]             | R · MN               |             | Feb 5, 2019        |
| Rep. Ferguson, A. Drew, IV [R-GA-3]  | R · GA               |             | Feb 5, 2019        |
| Rep. Foxx, Virginia [R-NC-5]         | R · NC               |             | Feb 5, 2019        |
| Rep. Gianforte, Greg [R-MT-At Large] | R · MT               |             | Feb 5, 2019        |
| Rep. Gibbs, Bob [R-OH-7]             | R · OH               |             | Feb 5, 2019        |
| Rep. Gosar, Paul A. [R-AZ-4]         | R · AZ               |             | Feb 5, 2019        |
| Rep. Green, Mark E. [R-TN-7]         | R · TN               |             | Feb 5, 2019        |
| Rep. Harris, Andy [R-MD-1]           | R · MD               |             | Feb 5, 2019        |
| Rep. Hice, Jody B. [R-GA-10]         | R · GA               |             | Feb 5, 2019        |
| Rep. Huizenga, Bill [R-MI-2]         | R · MI               |             | Feb 5, 2019        |
| Rep. Johnson, Bill [R-OH-6]          | R · OH               |             | Feb 5, 2019        |
| Rep. Johnson, Mike [R-LA-4]          | R · LA               |             | Feb 5, 2019        |
| Rep. Jordan, Jim [R-OH-4]            | R · OH               |             | Feb 5, 2019        |
| Rep. Joyce, John [R-PA-13]           | R · PA               |             | Feb 5, 2019        |
| Rep. Kelly, Mike [R-PA-16]           | R · PA               |             | Feb 5, 2019        |
| Rep. Lamborn, Doug [R-CO-5]          | R · CO               |             | Feb 5, 2019        |
| Rep. Latta, Robert E. [R-OH-5]       | R · OH               |             | Feb 5, 2019        |
| Rep. Marshall, Roger [R-KS-1]        | R · KS               |             | Feb 5, 2019        |
| Rep. McCarthy, Kevin [R-CA-23]       | R · CA               |             | Feb 5, 2019        |
| Rep. Mooney, Alexander X. [R-WV-2]   | R · WV               |             | Feb 5, 2019        |
| Rep. Mullin, Markwayne [R-OK-2]      | R · OK               |             | Feb 5, 2019        |
| Rep. Norman, Ralph [R-SC-5]          | R · SC               |             | Feb 5, 2019        |
| Rep. Ratcliffe, John [R-TX-4]        | R · TX               |             | Feb 5, 2019        |
| Rep. Roe, David P. [R-TN-1]          | R · TN               |             | Feb 5, 2019        |
| Rep. Roy, Chip [R-TX-21]             | R · TX               |             | Feb 5, 2019        |
| Rep. Scalise, Steve [R-LA-1]         | R · LA               |             | Feb 5, 2019        |
| Rep. Smucker, Lloyd [R-PA-11]        | R · PA               |             | Feb 5, 2019        |
| Rep. Stauber, Pete [R-MN-8]          | R · MN               |             | Feb 5, 2019        |

| Cosponsor                             | Party / State | Role | Date Joined |
|---------------------------------------|---------------|------|-------------|
| Rep. Stewart, Chris [R-UT-2]          | R · UT        |      | Feb 5, 2019 |
| Rep. Timmons, William R. IV [R-SC-4]  | R · SC        |      | Feb 5, 2019 |
| Rep. Walberg, Tim [R-MI-7]            | R · MI        |      | Feb 5, 2019 |
| Rep. Walker, Mark [R-NC-6]            | R · NC        |      | Feb 5, 2019 |
| Rep. Walorski, Jackie [R-IN-2]        | R · IN        |      | Feb 5, 2019 |
| Rep. Weber, Randy K., Sr. [R-TX-14]   | R · TX        |      | Feb 5, 2019 |
| Rep. Wittman, Robert J. [R-VA-1]      | R · VA        |      | Feb 5, 2019 |
| Rep. Armstrong, Kelly [R-ND-At Large] | R · ND        |      | Feb 6, 2019 |
| Rep. Arrington, Jodey C. [R-TX-19]    | R · TX        |      | Feb 6, 2019 |
| Rep. Balderson, Troy [R-OH-12]        | R · OH        |      | Feb 6, 2019 |
| Rep. Brady, Kevin [R-TX-8]            | R · TX        |      | Feb 6, 2019 |
| Rep. Brooks, Mo [R-AL-5]              | R · AL        |      | Feb 6, 2019 |
| Rep. Bucshon, Larry [R-IN-8]          | R · IN        |      | Feb 6, 2019 |
| Rep. Budd, Ted [R-NC-13]              | R · NC        |      | Feb 6, 2019 |
| Rep. Burchett, Tim [R-TN-2]           | R · TN        |      | Feb 6, 2019 |
| Rep. Burgess, Michael C. [R-TX-26]    | R · TX        |      | Feb 6, 2019 |
| Rep. Byrne, Bradley [R-AL-1]          | R · AL        |      | Feb 6, 2019 |
| Rep. Calvert, Ken [R-CA-42]           | R · CA        |      | Feb 6, 2019 |
| Rep. Conaway, K. Michael [R-TX-11]    | R · TX        |      | Feb 6, 2019 |
| Rep. Estes, Ron [R-KS-4]              | R · KS        |      | Feb 6, 2019 |
| Rep. Gohmert, Louie [R-TX-1]          | R · TX        |      | Feb 6, 2019 |
| Rep. Granger, Kay [R-TX-12]           | R · TX        |      | Feb 6, 2019 |
| Rep. Grothman, Glenn [R-WI-6]         | R · WI        |      | Feb 6, 2019 |
| Rep. Hagedorn, Jim [R-MN-1]           | R · MN        |      | Feb 6, 2019 |
| Rep. Hartzler, Vicky [R-MO-4]         | R · MO        |      | Feb 6, 2019 |
| Rep. Hern, Kevin [R-OK-1]             | R · OK        |      | Feb 6, 2019 |
| Rep. Higgins, Clay [R-LA-3]           | R · LA        |      | Feb 6, 2019 |
| Rep. Hudson, Richard [R-NC-8]         | R · NC        |      | Feb 6, 2019 |
| Rep. Hurd, Will [R-TX-23]             | R · TX        |      | Feb 6, 2019 |
| Rep. Johnson, Dusty [R-SD-At Large]   | R · SD        |      | Feb 6, 2019 |
| Rep. Kinzinger, Adam [R-IL-16]        | R · IL        |      | Feb 6, 2019 |
| Rep. Kustoff, David [R-TN-8]          | R · TN        |      | Feb 6, 2019 |
| Rep. Luetkemeyer, Blaine [R-MO-3]     | R · MO        |      | Feb 6, 2019 |
| Rep. McClintock, Tom [R-CA-4]         | R · CA        |      | Feb 6, 2019 |
| Rep. Newhouse, Dan [R-WA-4]           | R · WA        |      | Feb 6, 2019 |
| Rep. Pence, Greg [R-IN-6]             | R · IN        |      | Feb 6, 2019 |
| Rep. Rice, Tom [R-SC-7]               | R · SC        |      | Feb 6, 2019 |
| Rep. Rogers, Mike D. [R-AL-3]         | R · AL        |      | Feb 6, 2019 |
| Rep. Smith, Jason [R-MO-8]            | R · MO        |      | Feb 6, 2019 |
| Rep. Stefanik, Elise M. [R-NY-21]     | R · NY        |      | Feb 6, 2019 |
| Rep. Thompson, Glenn [R-PA-15]        | R · PA        |      | Feb 6, 2019 |
| Rep. Westerman, Bruce [R-AR-4]        | R · AR        |      | Feb 6, 2019 |

| <b>Cosponsor</b>                    | <b>Party / State</b> | <b>Role</b> | <b>Date Joined</b> |
|-------------------------------------|----------------------|-------------|--------------------|
| Rep. Williams, Roger [R-TX-25]      | R · TX               |             | Feb 6, 2019        |
| Rep. Wilson, Joe [R-SC-2]           | R · SC               |             | Feb 6, 2019        |
| Rep. Aderholt, Robert B. [R-AL-4]   | R · AL               |             | Feb 7, 2019        |
| Rep. Baird, James R. [R-IN-4]       | R · IN               |             | Feb 7, 2019        |
| Rep. Bergman, Jack [R-MI-1]         | R · MI               |             | Feb 7, 2019        |
| Rep. Biggs, Andy [R-AZ-5]           | R · AZ               |             | Feb 7, 2019        |
| Rep. Bilirakis, Gus M. [R-FL-12]    | R · FL               |             | Feb 7, 2019        |
| Rep. Buck, Ken [R-CO-4]             | R · CO               |             | Feb 7, 2019        |
| Rep. Carter, John R. [R-TX-31]      | R · TX               |             | Feb 7, 2019        |
| Rep. Cook, Paul [R-CA-8]            | R · CA               |             | Feb 7, 2019        |
| Rep. Curtis, John R. [R-UT-3]       | R · UT               |             | Feb 7, 2019        |
| Rep. Davis, Rodney [R-IL-13]        | R · IL               |             | Feb 7, 2019        |
| Rep. Duffy, Sean P. [R-WI-7]        | R · WI               |             | Feb 7, 2019        |
| Rep. Flores, Bill [R-TX-17]         | R · TX               |             | Feb 7, 2019        |
| Rep. Fulcher, Russ [R-ID-1]         | R · ID               |             | Feb 7, 2019        |
| Rep. Gallagher, Mike [R-WI-8]       | R · WI               |             | Feb 7, 2019        |
| Rep. Gonzalez, Anthony [R-OH-16]    | R · OH               |             | Feb 7, 2019        |
| Rep. Guest, Michael [R-MS-3]        | R · MS               |             | Feb 7, 2019        |
| Rep. Holding, George [R-NC-2]       | R · NC               |             | Feb 7, 2019        |
| Rep. Joyce, David P. [R-OH-14]      | R · OH               |             | Feb 7, 2019        |
| Rep. Lesko, Debbie [R-AZ-8]         | R · AZ               |             | Feb 7, 2019        |
| Rep. Loudermilk, Barry [R-GA-11]    | R · GA               |             | Feb 7, 2019        |
| Rep. Marchant, Kenny [R-TX-24]      | R · TX               |             | Feb 7, 2019        |
| Rep. McCaul, Michael T. [R-TX-10]   | R · TX               |             | Feb 7, 2019        |
| Rep. Meadows, Mark [R-NC-11]        | R · NC               |             | Feb 7, 2019        |
| Rep. Miller, Carol D. [R-WV-3]      | R · WV               |             | Feb 7, 2019        |
| Rep. Mitchell, Paul [R-MI-10]       | R · MI               |             | Feb 7, 2019        |
| Rep. Olson, Pete [R-TX-22]          | R · TX               |             | Feb 7, 2019        |
| Rep. Reschenthaler, Guy [R-PA-14]   | R · PA               |             | Feb 7, 2019        |
| Rep. Riggleman, Denver [R-VA-5]     | R · VA               |             | Feb 7, 2019        |
| Rep. Rooney, Francis [R-FL-19]      | R · FL               |             | Feb 7, 2019        |
| Rep. Rose, John W. [R-TN-6]         | R · TN               |             | Feb 7, 2019        |
| Rep. Scott, Austin [R-GA-8]         | R · GA               |             | Feb 7, 2019        |
| Rep. Smith, Christopher H. [R-NJ-4] | R · NJ               |             | Feb 7, 2019        |
| Rep. Steil, Bryan [R-WI-1]          | R · WI               |             | Feb 7, 2019        |
| Rep. Turner, Michael R. [R-OH-10]   | R · OH               |             | Feb 7, 2019        |
| Rep. Waltz, Michael [R-FL-6]        | R · FL               |             | Feb 7, 2019        |
| Rep. Watkins, Steve [R-KS-2]        | R · KS               |             | Feb 7, 2019        |
| Rep. Webster, Daniel [R-FL-11]      | R · FL               |             | Feb 7, 2019        |
| Rep. Wright, Ron [R-TX-6]           | R · TX               |             | Feb 7, 2019        |
| Rep. Bishop, Rob [R-UT-1]           | R · UT               |             | Feb 8, 2019        |
| Rep. Cloud, Michael [R-TX-27]       | R · TX               |             | Feb 8, 2019        |

| Cosponsor   | Party / State | Role | Date Joined  |
|---|---------------|------|--------------|
| Rep. Gooden, Lance [R-TX-5]                                     | R · TX        |      | Feb 8, 2019  |
| Rep. Guthrie, Brett [R-KY-2]                                    | R · KY        |      | Feb 8, 2019  |
| Rep. Herrera Beutler, Jaime [R-WA-3]                            | R · WA        |      | Feb 8, 2019  |
| Rep. LaMalfa, Doug [R-CA-1]                                     | R · CA        |      | Feb 8, 2019  |
| Rep. Meuser, Daniel [R-PA-9]                                    | R · PA        |      | Feb 8, 2019  |
| Rep. Palazzo, Steven M. [R-MS-4]                                | R · MS        |      | Feb 8, 2019  |
| Rep. Perry, Scott [R-PA-10]                                     | R · PA        |      | Feb 8, 2019  |
| Rep. Roby, Martha [R-AL-2]                                      | R · AL        |      | Feb 8, 2019  |
| Rep. Rogers, Harold [R-KY-5]                                    | R · KY        |      | Feb 8, 2019  |
| Rep. Taylor, Van [R-TX-3]                                       | R · TX        |      | Feb 8, 2019  |
| Resident Commissioner González-Colón, Jenniffer [R-PR-At Large] | R · PR        |      | Feb 8, 2019  |
| Rep. Cole, Tom [R-OK-4]   | R · OK        |      | Feb 11, 2019 |
| Rep. Crenshaw, Dan [R-TX-2]                                     | R · TX        |      | Feb 11, 2019 |
| Rep. Graves, Sam [R-MO-6]                                       | R · MO        |      | Feb 11, 2019 |
| Rep. Hill, J. French [R-AR-2]                                   | R · AR        |      | Feb 11, 2019 |
| Rep. Lipinski, Daniel [D-IL-3]                                  | D · IL        |      | Feb 11, 2019 |
| Rep. Long, Billy [R-MO-7]                                       | R · MO        |      | Feb 11, 2019 |
| Rep. McHenry, Patrick T. [R-NC-10]                              | R · NC        |      | Feb 11, 2019 |
| Rep. McKinley, David B. [R-WV-1]                                | R · WV        |      | Feb 11, 2019 |
| Rep. McMorris Rodgers, Cathy [R-WA-5]                           | R · WA        |      | Feb 11, 2019 |
| Rep. Peterson, Collin C. [D-MN-7]                               | D · MN        |      | Feb 11, 2019 |
| Rep. Schweikert, David [R-AZ-6]                                 | R · AZ        |      | Feb 11, 2019 |
| Rep. Sensenbrenner, F. James, Jr. [R-WI-5]                      | R · WI        |      | Feb 11, 2019 |
| Rep. Carter, Earl L. "Buddy" [R-GA-1]                           | R · GA        |      | Feb 13, 2019 |
| Rep. Comer, James [R-KY-1]                                      | R · KY        |      | Feb 13, 2019 |
| Rep. Diaz-Balart, Mario [R-FL-25]                               | R · FL        |      | Feb 13, 2019 |
| Rep. Fortenberry, Jeff [R-NE-1]                                 | R · NE        |      | Feb 13, 2019 |
| Rep. Kelly, Trent [R-MS-1]                                      | R · MS        |      | Feb 13, 2019 |
| Rep. LaHood, Darin [R-IL-18]                                    | R · IL        |      | Feb 13, 2019 |
| Rep. Moolenaar, John R. [R-MI-4]                                | R · MI        |      | Feb 13, 2019 |
| Rep. Rouzer, David [R-NC-7]                                     | R · NC        |      | Feb 13, 2019 |
| Rep. Simpson, Michael K. [R-ID-2]                               | R · ID        |      | Feb 13, 2019 |
| Rep. Smith, Adrian [R-NE-3]                                     | R · NE        |      | Feb 13, 2019 |
| Rep. Spano, Ross [R-FL-15]                                      | R · FL        |      | Feb 13, 2019 |
| Rep. Womack, Steve [R-AR-3]                                     | R · AR        |      | Feb 13, 2019 |
| Rep. Shimkus, John [R-IL-15]                                    | R · IL        |      | Feb 14, 2019 |
| Rep. Yoho, Ted S. [R-FL-3]                                      | R · FL        |      | Feb 14, 2019 |
| Rep. Palmer, Gary J. [R-AL-6]                                   | R · AL        |      | Feb 25, 2019 |
| Rep. Posey, Bill [R-FL-8]                                       | R · FL        |      | Feb 25, 2019 |
| Rep. Fleischmann, Charles J. "Chuck" [R-TN-3]                   | R · TN        |      | Feb 26, 2019 |
| Rep. Mast, Brian J. [R-FL-18]                                   | R · FL        |      | Feb 26, 2019 |
| Rep. Cuellar, Henry [D-TX-28]                                   | D · TX        |      | Feb 27, 2019 |

| Cosponsor   | Party / State | Role | Date Joined  |
|---|---------------|------|--------------|
| Rep. Cline, Ben [R-VA-6]                            | R · VA        |      | Mar 4, 2019  |
| Rep. Hunter, Duncan D. [R-CA-50]                    | R · CA        |      | Mar 4, 2019  |
| Rep. Gaetz, Matt [R-FL-1]                           | R · FL        |      | Mar 5, 2019  |
| Rep. Amodei, Mark E. [R-NV-2]                       | R · NV        |      | Mar 6, 2019  |
| Rep. Brooks, Susan W. [R-IN-5]                      | R · IN        |      | Mar 6, 2019  |
| Rep. Dunn, Neal P. [R-FL-2]                         | R · FL        |      | Mar 6, 2019  |
| Rep. Graves, Tom [R-GA-14]                          | R · GA        |      | Mar 6, 2019  |
| Rep. King, Steve [R-IA-4]                           | R · IA        |      | Mar 6, 2019  |
| Rep. Rutherford, John H. [R-FL-4]                   | R · FL        |      | Mar 6, 2019  |
| Rep. Stivers, Steve [R-OH-15]                       | R · OH        |      | Mar 6, 2019  |
| Rep. Thornberry, Mac [R-TX-13]                      | R · TX        |      | Mar 6, 2019  |
| Rep. Wenstrup, Brad R. [R-OH-2]                     | R · OH        |      | Mar 6, 2019  |
| Rep. Zeldin, Lee M. [R-NY-1]                        | R · NY        |      | Mar 6, 2019  |
| Rep. Fitzpatrick, Brian K. [R-PA-1]                 | R · PA        |      | Mar 7, 2019  |
| Rep. Tipton, Scott R. [R-CO-3]                      | R · CO        |      | Mar 21, 2019 |
| Rep. Hollingsworth, Trey [R-IN-9]                   | R · IN        |      | Mar 26, 2019 |
| Rep. Steube, W. Gregory [R-FL-17]                   | R · FL        |      | Mar 27, 2019 |
| Rep. Woodall, Rob [R-GA-7]                          | R · GA        |      | Mar 28, 2019 |
| Rep. Buchanan, Vern [R-FL-16]                       | R · FL        |      | Mar 29, 2019 |
| Rep. Crawford, Eric A. "Rick" [R-AR-1]              | R · AR        |      | Mar 29, 2019 |
| Del. Radewagen, Aumua Amata Coleman [R-AS-At Large] | R · AS        |      | Apr 8, 2019  |
| Rep. Graves, Garret [R-LA-6]                        | R · LA        |      | Apr 25, 2019 |
| Rep. Keller, Fred [R-PA-12]                         | R · PA        |      | Aug 6, 2019  |
| Rep. Murphy, Gregory [R-NC-3]                       | R · NC        |      | Nov 12, 2019 |
| Rep. Bishop, Dan [R-NC-9]                           | R · NC        |      | Jan 29, 2020 |
| Rep. Jacobs, Chris [R-NY-27]                        | R · NY        |      | Sep 11, 2020 |

## Committee Activity

| Committee           | Chamber | Activity    | Date         |
|---------------------|---------|-------------|--------------|
| Judiciary Committee | House   | Referred to | Mar 22, 2019 |

## 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 311   | Related bill | <b>Feb 25, 2020:</b> 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) |
| 116 S 130   | Related bill | <b>Feb 11, 2020:</b> Committee on the Judiciary. Hearings held.   |

## **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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- **Mar 22, 2019:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Feb 6, 2019:** Sponsor introductory remarks on measure. (CR H1367)
- **Feb 5, 2019:** Introduced in House
- **Feb 5, 2019:** Referred to the House Committee on the Judiciary.