

## S 123

Born-Alive Abortion Survivors Protection Act

**Congress:** 117 (2021–2023, Ended)

**Chamber:** Senate

**Policy Area:** Crime and Law Enforcement

**Introduced:** Jan 28, 2021

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

**Latest Action:** Read twice and referred to the Committee on the Judiciary. (Jan 28, 2021)

**Official Text:** <https://www.congress.gov/bill/117th-congress/senate-bill/123>

### Sponsor

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

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

**Cosponsors** (45 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Barrasso, John [R-WY]	R · WY		Jan 28, 2021
Sen. Blackburn, Marsha [R-TN]	R · TN		Jan 28, 2021
Sen. Blunt, Roy [R-MO]	R · MO		Jan 28, 2021
Sen. Boozman, John [R-AR]	R · AR		Jan 28, 2021
Sen. Braun, Mike [R-IN]	R · IN		Jan 28, 2021
Sen. Burr, Richard [R-NC]	R · NC		Jan 28, 2021
Sen. Cassidy, Bill [R-LA]	R · LA		Jan 28, 2021
Sen. Cornyn, John [R-TX]	R · TX		Jan 28, 2021
Sen. Cotton, Tom [R-AR]	R · AR		Jan 28, 2021
Sen. Cramer, Kevin [R-ND]	R · ND		Jan 28, 2021
Sen. Crapo, Mike [R-ID]	R · ID		Jan 28, 2021
Sen. Cruz, Ted [R-TX]	R · TX		Jan 28, 2021
Sen. Daines, Steve [R-MT]	R · MT		Jan 28, 2021
Sen. Ernst, Joni [R-IA]	R · IA		Jan 28, 2021
Sen. Fischer, Deb [R-NE]	R · NE		Jan 28, 2021
Sen. Graham, Lindsey [R-SC]	R · SC		Jan 28, 2021
Sen. Grassley, Chuck [R-IA]	R · IA		Jan 28, 2021
Sen. Hagerty, Bill [R-TN]	R · TN		Jan 28, 2021
Sen. Hawley, Josh [R-MO]	R · MO		Jan 28, 2021
Sen. Hoeven, John [R-ND]	R · ND		Jan 28, 2021
Sen. Hyde-Smith, Cindy [R-MS]	R · MS		Jan 28, 2021
Sen. Inhofe, James M. [R-OK]	R · OK		Jan 28, 2021
Sen. Johnson, Ron [R-WI]	R · WI		Jan 28, 2021
Sen. Kennedy, John [R-LA]	R · LA		Jan 28, 2021
Sen. Lankford, James [R-OK]	R · OK		Jan 28, 2021
Sen. Lee, Mike [R-UT]	R · UT		Jan 28, 2021
Sen. Lummis, Cynthia M. [R-WY]	R · WY		Jan 28, 2021
Sen. Marshall, Roger [R-KS]	R · KS		Jan 28, 2021
Sen. McConnell, Mitch [R-KY]	R · KY		Jan 28, 2021
Sen. Moran, Jerry [R-KS]	R · KS		Jan 28, 2021
Sen. Paul, Rand [R-KY]	R · KY		Jan 28, 2021
Sen. Portman, Rob [R-OH]	R · OH		Jan 28, 2021
Sen. Risch, James E. [R-ID]	R · ID		Jan 28, 2021
Sen. Romney, Mitt [R-UT]	R · UT		Jan 28, 2021
Sen. Rounds, Mike [R-SD]	R · SD		Jan 28, 2021
Sen. Rubio, Marco [R-FL]	R · FL		Jan 28, 2021
Sen. Scott, Rick [R-FL]	R · FL		Jan 28, 2021
Sen. Scott, Tim [R-SC]	R · SC		Jan 28, 2021
Sen. Shelby, Richard C. [R-AL]	R · AL		Jan 28, 2021
Sen. Sullivan, Dan [R-AK]	R · AK		Jan 28, 2021
Sen. Thune, John [R-SD]	R · SD		Jan 28, 2021

Cosponsor	Party / State	Role	Date Joined
Sen. Tillis, Thomas [R-NC]	R · NC		Jan 28, 2021
Sen. Toomey, Patrick [R-PA]	R · PA		Jan 28, 2021
Sen. Wicker, Roger F. [R-MS]	R · MS		Jan 28, 2021
Sen. Young, Todd [R-IN]	R · IN		Jan 28, 2021

## Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Jan 28, 2021

## Subjects & Policy Tags

### Policy Area:

Crime and Law Enforcement

## Related Bills

Bill	Relationship	Last Action
117 HR 619	Related bill	Mar 22, 2021: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

## Summary (as of Jan 28, 2021)

### Born-Alive Abortion Survivors Protection Act

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

Specifically, a health care practitioner who is present must (1) exercise the same degree of care as would reasonably be provided to any other child born alive at the same gestational age, and (2) ensure the child is immediately admitted to a hospital. Additionally, a health care practitioner or other employee who has knowledge of a failure to comply with the degree-of-care requirements must immediately report such failure to law enforcement.

A health care practitioner who fails to provide the required degree of care, or a health care practitioner or other employee who fails to report such failure, is subject to criminal penalties—a fine, up to five years in prison, or both.

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 under this bill and allows her to bring a civil action against a health care practitioner or other employee for violations.

## Actions Timeline

- **Jan 28, 2021:** Introduced in Senate
- **Jan 28, 2021:** Read twice and referred to the Committee on the Judiciary.