

SENATE RESOLUTION No. 136

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MAY 13, 2019

Sponsored by:

Senator JOSEPH PENNACCHIO

District 26 (Essex, Morris and Passaic)

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

Senator A.R.Bucco

SYNOPSIS

Urges US Congress to pass “Born-Alive Abortion Survivors Protection Act.”

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/14/2019)

SR136 PENNACCHIO, OROHO

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1 A **SENATE RESOLUTION** urging the United States Congress to pass
2 the “Born-Alive Abortion Survivors Protection Act.”

3
4 **WHEREAS**, In response to troubling indications that some abortion
5 providers do not regard infants born alive during abortion
6 procedures as legal persons, in 2002 the United States Congress
7 passed the “Born-Alive Infants Protection Act” (“BAIPA”), which
8 provides legal protection to an infant who is born alive at any stage
9 of development, regardless of whether the infant’s delivery was the
10 result of natural or induced labor, cesarean section, or induced
11 abortion; and

12 **WHEREAS**, Despite extending legal protections to infants who survive
13 abortion attempts, “BAIPA” does not impose any penalties on
14 physicians who neglect to provide medical care for these infants;
15 and

16 **WHEREAS**, In the years since “BAIPA” was enacted, evidence has
17 come to light that some abortion providers still do not regard
18 infants born alive during abortion procedures as legal persons, and
19 do not provide them the same degree of medical care that they
20 would provide to premature infants who are born spontaneously;
21 and

22 **WHEREAS**, As of 2014, only 26 U.S. states had laws mandating care
23 for infants born alive after an attempted abortion, and some U.S.
24 states have recently proposed or enacted bills that would remove
25 existing protections; and

26 **WHEREAS**, The recently-introduced federal “Born-Alive Abortion
27 Survivors Protection Act” addresses this problem by imposing
28 criminal penalties on an individual who fails to provide medical
29 care to an infant born alive during an abortion procedure, or who
30 intentionally kills or attempts to kill an infant who survives an
31 attempted abortion; and

32 **WHEREAS**, In light of the ongoing threat to the safety and well-being
33 of infants born alive during abortion procedures, it is in the best
34 interests of citizens born in the State of New Jersey and the nation
35 for Congress to pass the “Born-Alive Survivors Protection Act”;
36 now, therefore,

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38 **BE IT RESOLVED** *by the Senate of the State of New Jersey:*

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40 1. This House hereby urges the United States Congress to pass
41 the “Born-Alive Abortion Survivors Protection Act” and to require
42 all states to comply with the provisions of the law.

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44 2. Copies of this resolution, as filed with the Secretary of State,
45 shall be transmitted by the Secretary of the Senate to the President
46 of the United States, the President of the United States Senate, the
47 Speaker of the United States House of Representatives, and every
48 member of Congress elected from this State.

STATEMENT

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This resolution urges the United States Congress to pass the “Born-Alive Abortion Survivors Protection Act” and to require all states to comply with the provisions of the law.

In response to troubling indications that some abortion providers do not regard infants born alive during abortion procedures as legal persons, in 2002 the United States Congress enacted the “Born-Alive Infants Protection Act” (“BAIPA”), which provides legal protection to an infant who is born alive at any stage of development, regardless of whether the infant’s delivery was the result of natural or induced labor, cesarean section, or induced abortion. Despite extending legal protections to infants who survive abortion attempts, “BAIPA” does not impose any penalties on physicians who neglect to provide medical care for these infants.

In the years since “BAIPA” was enacted, evidence has come to light that some abortion providers still do not regard infants born alive during abortion procedures as legal persons, and do not provide them the same degree of medical care that they would provide to premature infants who are born spontaneously. As of 2014, only 26 U.S. states had some kind of statute mandating care for infants born alive after an attempted abortion, and some U.S. states have recently proposed or enacted bills that would remove existing protections. The recently-introduced federal “Born-Alive Abortion Survivors Protection Act” addresses this problem by imposing criminal penalties on an individual who fails to provide medical care to an infant born alive during an abortion procedure, or who intentionally kills or attempts to kill an infant who survives an attempted abortion.