

SECOND REGULAR SESSION

HOUSE BILL NO. 1959

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE RICHEY.

3615H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 188, RSMo, by adding thereto one new section relating to abortion, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 188, RSMo, is amended by adding thereto one new section, to be
2 known as section 188.035, to read as follows:

188.035. [~~Whoever, with intent to do so, shall take the life of a child aborted alive,~~
2 ~~shall be guilty of murder of the second degree.~~] **1. This section shall be known and may be**
3 **cited as the "Born-Alive Abortion Survivors Protection Act".**

4 **2. A child born alive during or after an abortion or an attempted abortion shall**
5 **have all the rights, privileges, and immunities available to other persons, citizens, and**
6 **residents of this state, including any other live-born child.**

7 **3. Any health care provider licensed, registered, or certified in this state who is**
8 **present at the time a child is born alive during or after an abortion or attempted**
9 **abortion shall exercise the same degree of professional skill, care, and diligence to**
10 **preserve the life and health of the child as a reasonably diligent and conscientious health**
11 **care provider would render to any other child born alive at the same gestational age.**

12 **4. In addition to any criminal or administrative liability that may be incurred, a**
13 **court-appointed administrator may bring a cause of action for loss of life.**

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EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.