

THE FLORIDA SENATE
2013 SUMMARY OF LEGISLATION PASSED
Committee on Health Policy

CS/CS/CS/HB 1129 — Infants Born Alive

by Health and Human Services Committee; Civil Justice Subcommittee; Health Quality Subcommittee; and Reps. Pigman, Rodrigues, and others (CS/CS/SB 1636 by Judiciary Committee; Health Policy Committee and Senator Flores)

The bill provides protections for an infant born alive during an attempted abortion. Specifically, the bill:

- Defines “born alive” as the complete expulsion or extraction from the mother of a human infant, at any stage of development, who, after such expulsion or extraction, breathes or has a beating heart, or definite and voluntary movement of muscles, regardless of whether the umbilical cord has been cut and regardless of whether the expulsion or extraction occurs as a result of natural or induced labor, Cesarean section, induced abortion, or other method;
- Grants an infant who is born alive during or immediately after an attempted abortion the same rights as infants born naturally;
- Requires healthcare professionals to apply the same level of care towards an infant born alive as they would for an infant born naturally of the same gestational age;
- Requires that an infant born alive as part of an attempted abortion be immediately transported and admitted to a hospital;
- Requires health care practitioners to report violations of these provisions to the Department of Health;
- Causes violations of these provisions to be punishable as a first degree misdemeanor;
- Specifies that these provisions do not preclude the prosecution for a more general offense, regardless of penalty;
- Specifies that these provisions do not affirm, deny, expand, or contract any legal status or right of a fetus or infant prior to being born alive; and
- Requires facilities that perform abortions to report monthly the number of infants born alive to the Agency for Health Care Administration.

If approved by the Governor, these provisions take effect July 1, 2013.

Vote: Senate 38-0; House 119-0