

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>    </u>	

1 Committee/Subcommittee hearing bill: Criminal Justice  
 2 Subcommittee

3 Representative Van Zant offered the following:

4  
 5 **Amendment**

6 Remove lines 83-187 and insert:  
 7 prohibited by United States law and the laws of most states.  
 8 Sex-selection abortions are performed in the United States. In a  
 9 March 2008 report published in the Proceedings of the National  
 10 Academy of Sciences, Columbia University economists Douglas  
 11 Almond and Lena Edlund examined the sex ratio of United States-  
 12 born children and found "evidence of sex selection, most likely  
 13 at the prenatal stage." The data revealed obvious "son  
 14 preference" in the form of unnatural sex-ratio imbalances within  
 15 certain segments of the United States population, primarily  
 16 those segments tracing their ethnic or cultural origins to  
 17 countries where sex-selection abortion is prevalent. The  
 18 evidence strongly suggests that some Americans are exercising  
 19 sex-selection abortion practices within the United States  
 20 consistent with discriminatory practices common to their country

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21 of origin or the country to which they trace their ancestry.

22 While sex-selection abortions are more common outside the United  
23 States, the evidence reveals that female infanticide is also  
24 occurring in the United States, and

25 WHEREAS, the American public supports a prohibition of sex-  
26 selection abortion. In a March 2006 Zogby International poll, 86  
27 percent of Americans agreed that sex-selection abortion should  
28 be illegal, yet only a few states have proscribed sex-selection  
29 abortion, and

30 WHEREAS, despite the failure of the United States to  
31 proscribe sex-selection abortion, the United States Congress has  
32 expressed repeatedly, through Congressional resolution, strong  
33 condemnation of policies promoting sex-selection abortion in the  
34 "Communist Government of China." Likewise, at the 2007 United  
35 Nations' Annual Meeting of the Commission on the Status of  
36 Women, 51st Session, the United States delegation spearheaded a  
37 resolution calling on countries to eliminate sex-selective  
38 abortion, a policy directly contradictory to the permissiveness  
39 of current United States law, which places no restriction on the  
40 practice of sex-selection abortion. The United Nations  
41 Commission on the Status of Women has urged governments of all  
42 nations "to take necessary measures to prevent . . . prenatal  
43 sex selection," and

44 WHEREAS, a 1990 report by Harvard University economist  
45 Amartya Sen estimated that more than 100 million women were  
46 "demographically missing" from the world as early as 1990 due to  
47 sexist practices, including sex-selection abortion. Many experts  
48 believe sex-selection abortion is the primary cause. As of 2008,

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49 estimates of women missing from the world range in the hundreds  
50 of millions, and

51 WHEREAS, countries with longstanding experience with sex-  
52 selection abortion, such as the Republic of India, the United  
53 Kingdom, and the People's Republic of China, have enacted  
54 complete bans on sex-selection abortion and have steadily  
55 continued to strengthen prohibitions and penalties. The United  
56 States, by contrast, has no law in place to restrict sex-  
57 selection abortion, establishing the United States as affording  
58 less protection from sex-based infanticide than the Republic of  
59 India or the People's Republic of China, whose recent practices  
60 of sex-selection abortion were vehemently and repeatedly  
61 condemned by United States congressional resolutions and by the  
62 United States Ambassador to the Commission on the Status of  
63 Women. Public statements from within the medical community  
64 reveal that citizens of other countries come to the United  
65 States for sex-selection procedures that would be criminal in  
66 their countries of origin. Because the United States permits  
67 abortion on the basis of sex, the United States may effectively  
68 function as a "safe haven" for those who seek to have American  
69 physicians do what would otherwise be criminal in their home  
70 countries: a sex-selection abortion, most likely late-term, and

71 WHEREAS, the American medical community opposes sex-  
72 selection abortion. The American College of Obstetricians and  
73 Gynecologists, commonly known as "ACOG," stated in its February  
74 2007 Ethics Committee Opinion, Number 360, that sex selection is  
75 inappropriate for family planning purposes because sex selection  
76 "ultimately supports sexist practices." Likewise, the American

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77 Society for Reproductive Medicine has opined that sex selection  
78 for family planning purposes is ethically problematic, is  
79 inappropriate, and should be discouraged, and

80 WHEREAS, sex-selection abortion results in an unnatural  
81 sex-ratio imbalance. An unnatural sex-ratio imbalance is  
82 undesirable due to the inability of the numerically predominant  
83 sex to find mates. Experts worldwide document that a significant  
84 sex-ratio imbalance in which males numerically predominate can  
85 be a cause of increased violence and militancy within a society.  
86 Likewise, an unnatural sex-ratio imbalance gives rise to the  
87 commoditization of humans in the form of human trafficking and a  
88 consequent increase in kidnapping and other violent crime, and

89 WHEREAS, sex-selection abortions have the effect of  
90 diminishing the representation of women in the American  
91 population and, therefore, the American electorate, and

92 WHEREAS, sex-selection abortion reinforces sex  
93 discrimination and has no place in a civilized society, and

94 WHEREAS, minorities are a vital part of American society  
95 and culture and possess the same fundamental human rights and  
96 civil rights as the majority, and

97 WHEREAS, United States law prohibits the dissimilar  
98 treatment of persons of different races who are similarly  
99 situated. United States law prohibits discrimination on the  
100 basis of race in various contexts, including the provision of  
101 employment, education, housing, health insurance coverage, and  
102 athletics, and

103 WHEREAS, a "race-selection abortion" is an abortion  
104 performed for purposes of eliminating an unborn child because

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105 | the child or a parent of the child is of an undesired race.  
106 | Race-selection abortion is barbaric and described by civil  
107 | rights advocates as an act of race-based violence, predicated on  
108 | race discrimination. By definition, race-selection abortions do  
109 | not implicate the health of mother of the unborn but instead are  
110 | elective procedures motivated by race bias, and

111 |       WHEREAS, only one state has enacted a law to proscribe the  
112 |