

REFERENCE TITLE: **abortion data; survivors act; supporting.**

State of Arizona
Senate
Fifty-fourth Legislature
Second Regular Session
2020

SCR 1029

Introduced by

Senators Kerr: Allen S, Borrelli, Boyer, Brophy McGee, Carter, Fann,
Farnsworth D, Farnsworth E, Gowan, Gray, Leach, Livingston, Mesnard, Pace,
Pratt, Ugenti-Rita

A CONCURRENT RESOLUTION

**SUPPORTING THE ENACTMENT OF THE BORN-ALIVE ABORTION SURVIVORS PROTECTION
ACT AND THE ENSURING ACCURATE AND COMPLETE ABORTION DATA REPORTING ACT OF
2019.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

Whereas, Congress and the State of Arizona have compelling interests in protecting all human life; and

Whereas, Congress passed by unanimous consent the Born-Alive Infants Protection Act "to repudiate the flawed notion that a child's entitlement to the protections of the law is dependent upon whether that child's mother or others want him or her" and "to repudiate the flawed notion that the right to an abortion means the right to a dead baby, regardless of where the killing takes place"; and

Whereas, to achieve these important objectives, the Born-Alive Infants Protection Act affirmatively recognizes that all infants born at any stage of development, regardless of the circumstances surrounding their births, are "persons" for purposes of federal law; and

Whereas, the Born-Alive Infants Protection Act became law in August 2002; and

Whereas, the legal recognition provided by the Born-Alive Infants Protection Act has proved to be inadequate for providing necessary legal protections for infants born alive following attempted abortions and ensuring that they receive medically appropriate care and treatment; and

Whereas, to remedy this deficiency, Congress has introduced the Born-Alive Abortion Survivors Protection Act, which would affirmatively require that medically appropriate care be given to any infant born alive following an abortion procedure; and

Whereas, the Born-Alive Abortion Survivors Protection Act supplements existing federal law to require that health care providers "exercise the same degree of professional skill, care and diligence to preserve the life and health of a child" born alive following an attempted abortion as the provider "would render to any other child born alive"; and

Whereas, a February 2017 poll by the Susan B. Anthony List found that 77% of Americans support legislation "that would ensure that a baby who survives a failed abortion would be given the same medical treatment as any other baby born prematurely at the same age"; and

Whereas, the citizens of this state strongly support laws providing legal recognition and protection for born-alive infants, including those who survive attempted abortions, as evidenced by Arizona's enactment of section 36-2301, Arizona Revised Statutes, which requires a physician performing an abortion and any other physician in attendance to use "all available means and medical skills" to "promote, preserve and maintain the life" of a fetus or embryo who is delivered alive; and

Whereas, the problem of born-alive infants being denied medically appropriate care following attempted abortions is a matter of official public record but still underreported; and

Whereas, to remedy the problem of underreporting of cases of infants born alive following attempted abortions, Congress has introduced the Ensuring Accurate and Complete Abortion Data Reporting Act of 2019, which would make certain Medicaid family planning monies conditional on a state

1 gathering and reporting to the United States Centers for Disease Control
2 and Prevention comprehensive abortion data, and affirmatively requires
3 that states report instances of unborn children surviving abortion
4 attempts.

5 Therefore

6 Be it resolved by the Senate of the State of Arizona, the House of
7 Representatives concurring:

8 1. That the Legislature strongly supports the enactment of the
9 Born-Alive Abortion Survivors Protection Act.

10 2. That the Legislature strongly supports the enactment of the
11 Ensuring Accurate and Complete Abortion Data Reporting Act of 2019.

12 3. That the Secretary of State of the State of Arizona transmit
13 copies of this Resolution to the Governor of the State of Arizona, the
14 President of the United States, the President of the United States Senate,
15 the Speaker of the United States House of Representatives and each Member
16 of Congress from the State of Arizona.