

Senate Engrossed

abortion data; survivors act; supporting

State of Arizona
Senate
Fifty-fifth Legislature
First Regular Session
2021

SENATE CONCURRENT RESOLUTION 1009

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)

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

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

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

13 Whereas, the Born-Alive Infants Protection Act became law in August
14 2002; and

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

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

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

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

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

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

42 Whereas, to remedy the problem of underreporting of cases of infants
43 born alive following attempted abortions, Congress introduced the Ensuring
44 Accurate and Complete Abortion Data Reporting Act of 2019, which would
45 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.