

# HB3375



## 101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3375

by Rep. Mark Batinick

### SYNOPSIS AS INTRODUCED:

5 ILCS 70/1.36

Amends the Statute on Statutes. Provides that a live child born as a result of an abortion shall be fully recognized as a human person and accorded immediate protection under the law. Removes language regarding interpretation of specified provisions. Effective immediately.

LRB101 09458 RJF 54556 b

A BILL FOR

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Statute on Statutes is amended by changing  
5 Section 1.36 as follows:

6 (5 ILCS 70/1.36)

7 Sec. 1.36. Born alive infant.

8 (a) In determining the meaning of any statute or of any  
9 rule, regulation, or interpretation of the various  
10 administrative agencies of this State, the words "person",  
11 "human being", "child", and "individual" shall include every  
12 infant member of the species homo sapiens who is born alive at  
13 any stage of development.

14 (b) As used in this Section, the term "born alive", with  
15 respect to a member of the species homo sapiens, means the  
16 complete expulsion or extraction from his or her mother of that  
17 member, at any stage of development, who after such expulsion  
18 or extraction breathes or has a beating heart, pulsation of the  
19 umbilical cord, or definite movement of voluntary muscles,  
20 regardless of whether the umbilical cord has been cut and  
21 regardless of whether the expulsion or extraction occurs as a  
22 result of natural or induced labor, cesarean section, or  
23 induced abortion.

1       (b-5) A live child born as a result of an abortion shall be  
2       fully recognized as a human person and accorded immediate  
3       protection under the law.

4       (c) (Blank). ~~Nothing in this Section shall be construed to~~  
5       ~~affirm, deny, expand, or contract any legal status or legal~~  
6       ~~right applicable to any member of the species homo sapiens at~~  
7       ~~any point prior to being born alive, as defined in this~~  
8       ~~Section.~~

9       (d) (Blank). ~~Nothing in this Section shall be construed to~~  
10       ~~affect existing federal or State law regarding abortion.~~

11       (e) (Blank). ~~Nothing in this Section shall be construed to~~  
12       ~~alter generally accepted medical standards.~~

13       (Source: P.A. 94-559, eff. 1-1-06.)

14       Section 99. Effective date. This Act takes effect upon  
15       becoming law.