



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**  
**HB4008**

Introduced 1/14/2004, by William J. Grunloh

**SYNOPSIS AS INTRODUCED:**

5 ILCS 70/1.36 new

Amends the Statute on Statutes. Defines "born-alive infant" to include every infant member of the species homo sapiens who is born alive at any stage of development. Defines "born alive" to mean the complete expulsion or extraction from the mother of an infant, at any stage of development, who after that expulsion or extraction breathes or has a beating heart, pulsation of the umbilical cord, or definite movement of voluntary 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, or induced abortion. 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. Effective immediately.

LRB093 16277 RAS 41915 b

1 AN ACT concerning infants who are born alive.

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 adding  
5 Section 1.36 as follows:

6 (5 ILCS 70/1.36 new)

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" include every infant  
12 member of the species homo sapiens who is born alive at any  
13 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 its mother of that  
17 member, at any stage of development, who after that 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.

24 (c) A live child born as a result of an abortion shall be  
25 fully recognized as a human person and accorded immediate  
26 protection under the law.

27 Section 99. Effective date. This Act takes effect upon  
28 becoming law.