



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 2/4/2004, by John O. Jones

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 18537 RLC 44258 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.