

The original Illinois Born-Alive Infants Protection Act of 2001-2002

(opposed by state Senator Barack Obama):

SB1095 / SB 1662

AN ACT concerning infants who are born alive.

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

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

(5 ILCS 70/1.36 new)

Sec. 1.36. Born-alive infant.

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

(b) As used in this Section, the term "born alive", with respect to a member of the species homo sapiens, means the complete expulsion or extraction from its mother of that member, 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.

(c) 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.

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

The Illinois Born-Alive Infants Protection Act as amended and then voted down at a meeting of the Illinois state Senate Health and Human Services Committee on March 13, 2003 (Obama voted against this amended bill):

SB 1082

AN ACT concerning infants who are born alive.

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

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

(5 ILCS 70/1.36 new)

Sec. 1.36. Born-alive infant.

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

(b) As used in this Section, the term "born alive", with respect to a member of the species homo sapiens, means the complete expulsion or extraction from its mother of that member, 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.

~~(c) 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.~~

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

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