

HB 971 -- BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT

SPONSOR: Richey

This bill establishes the "Born-Alive Abortion Survivors Protection Act." This bill specifies that, a person who knowingly causes the death of a child who was born alive during or immediately after an attempted abortion shall be guilty of murder in the second degree (Section 565.021, RSMo).

A person who recklessly causes the death of a child who was born alive during or immediately after an attempted abortion shall be guilty of involuntary manslaughter in the first degree (Section 565.024).

A person who, with criminal negligence, causes the death of a child who was born alive during or immediately after an attempted abortion shall be guilty of manslaughter in the second degree (Section 565.027).

Finally, this bill permits the parents and siblings of a deceased or unborn child to bring a wrongful death action against a person who unlawfully performs or induces or attempts to perform or induce an abortion, with potential damages specified in the bill (Section 188.035).

This bill is the same as SB 388 (2019).