READY FOR LIFE ACT

HOUSE/SENATE BILL No. ______
By Representatives/Senators ____________

Section 1. Title.

This Act may be known and cited as the “Ready for Life Act.”

Section 2. Legislative Findings and Purposes.

(a) The [Legislature] of the State of [Insert name of State] finds that:

(1) The life of each human being begins at conception, when a complete, genetically unique (except for monozygotic twins) individual member of the species homo sapiens begins;

(2) Between five (5) and six (6) weeks’ gestation, the preborn human being’s heart begins beating;

(3) The preborn human being begins to move about in the womb at approximately eight (8) weeks’ gestation;

(4) At about nine (9) weeks’ gestation, all basic physiological functions are present. Teeth and eyes are present, as well as external genitalia;

(5) A human being’s vital organs begin to function at approximately ten (10) weeks’ gestation. Hair, fingernails, and toenails begin to form;

(6) At eleven (11) weeks’ gestation, the preborn human’s diaphragm is developing, and he or she may even hiccup. He or she is beginning to move about freely in the womb;

(7) At twelve (12) weeks’ gestation, the preborn human being can open and close his or her fingers. He or she starts to make sucking motions, and senses stimulation from the world outside the womb. Dobbs v. Jackson Women’s Health Org., 142 S. Ct. 2228, 2243–2244 (2022). He or she has taken on “the human form” in all relevant aspects. Gonzales v. Carhart, 550 U.S. 124, 160 (2007);

Section 3. Definitions.

For purposes of this article:

(a) "Abortion" means the use of an instrument, medicine, drug, or other substance or device with intent to terminate the pregnancy of a woman known to be pregnant; provided, however, that the term "abortion" shall not include medical procedures to resolve a miscarriage or ectopic pregnancy, or necessary to preserve the life of a pregnant woman or to address a serious risk of substantial and irreversible impairment of a major bodily function, where the attending physician or health care practitioner makes reasonable medical efforts under the circumstances to preserve the life of the preborn human being.

(b) "Pregnant" means the condition of a woman carrying a fetus or embryo within her body as the result of conception.

(c) "Conception" means the fecundation of the ovum by the spermatozoon.

(d) "Physician" means a person licensed to practice medicine in this State.

(e) "Reasonable medical judgment" means a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

(f) "Preborn human being" means an individual organism of the species homo sapiens from conception until live birth.

Section 4. Prohibition.

It is unlawful to knowingly administer to, prescribe for, or distribute to any woman known to be pregnant any medicine, drug, or other substance with the purpose of causing an abortion, or to use any instrument, device, means, or procedure upon a woman known to be pregnant with the purpose of causing an abortion.

Section 5. Enforcement.

(a) Criminal Penalties.
(1) A person who violates Section 4 above is guilty of a felony and, upon conviction, shall be fined twenty thousand dollars, imprisoned not more than five years, or both.

(2) Any person who uses force or the threat of force to intentionally injure or intimidate any person, for the purpose of coercing an abortion in violation of Section 4 above, is guilty of a felony and, upon conviction, shall be fined ten thousand dollars, imprisoned not more than two years, or both.

(3) The provisions of the criminal code of the State of [Insert name of State] [Insert applicable code chapter(s)] relating to inchoate crimes, including but not limited to conspiracy, solicitation, and attempt, shall be applicable to this [Insert chapter, title, section].

(b) Civil Remedies.

(1) In addition to whatever remedies are available under the common or statutory law of this State, failure to comply with the requirements of this article shall provide the basis for a civil action as described in this section.

(2) Any pregnant woman upon whom an abortion has been performed, induced, or coerced in violation of this article may maintain an action against the person or persons who violated this article for actual and punitive damages. In addition to all other damages, and separate and distinct from all other damages, each plaintiff is entitled to statutory damages of ten thousand dollars for each violation of this article to be imposed on each defendant of each such violation.

(3) A separate and distinct cause of action for injunctive relief against any person or persons who have violated this article, to enjoin said person(s) from further violations of this article, may be maintained by:

a. The woman upon whom an abortion was performed or induced in violation of this article;

b. The parent or guardian of the pregnant woman if the woman had not attained the age of eighteen years at the time of the abortion or has died as a result of the abortion;

c. A solicitor or prosecuting attorney with proper jurisdiction; or

d. The Attorney General.

(4) If judgment is rendered in favor of the plaintiff in an action described in this section, the court also shall render judgment for reasonable costs and attorney's fees in favor of the plaintiff against the defendant.

(c) Exclusion from Liability.
In no case may a pregnant woman on whom an abortion is performed or induced be criminally prosecuted for violating any of the provisions of this article or for attempting to commit, conspiring to commit, or acting complicitly in committing a violation of any of the provisions of the article, nor shall she be subject to civil liability arising therefrom.

(d) Regulatory Enforcement.

In addition to any other penalties that may be imposed by law, a physician or any other professionally licensed person who intentionally, knowingly, or recklessly violates the prohibition in Section 4 above commits an act of unprofessional conduct and the person’s license to practice in the State of [Insert name of State] immediately shall be revoked by the [State Board of Medical Examiners or equivalent regulatory body] for [Insert name of State], after due process according to the rules and procedures of the [State Board of Medical Examiners or equivalent regulatory body]. A complaint may be originated by any person or sua sponte. In addition, the [State Board of Medical Examiners or equivalent regulatory body] may assess costs of the investigation, fines, and other disciplinary actions it may deem appropriate.

(e) Proceeding Under a Pseudonym.

In every civil or criminal proceeding or action brought under this article, upon proper motion by a party or witness thereto, the court shall determine whether the anonymity of any woman upon whom an abortion has been performed or induced shall be preserved from public disclosure. If the court so holds, the court shall issue appropriate orders to safeguard her identity from public disclosure, detailing the basis for the finding of necessity. An order denying such a motion shall be a basis for immediate interlocutory appeal. This section may not be construed to conceal the identity of the plaintiff or of witnesses from the defendant or from attorneys for the defendant.

Section 6. Construction.

Nothing in this Act shall be construed as creating or recognizing a right to abortion.

Section 7. Right of Intervention.

The [Legislature], by joint resolution, may appoint one or more of its members, who sponsored or cosponsored this Act in his or her official capacity, to intervene as a matter of right in any case in which the constitutionality of this Act or any portion thereof is challenged.

Section 8. Severability.

Any provision of this Act held to be invalid or unenforceable by its terms, or as applied to any person or circumstance, shall be construed so as to give it the maximum effect permitted by law, unless such holding shall be one of utter invalidity or unenforceability, in which event such provision shall be deemed severable here from
and shall not affect the remainder hereof or the application of such provision to other persons not similarly situated or to other, dissimilar circumstances.

Section 9. Effective Date.

This Act shall take effect on [Insert date].
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