

Bill Summary
1st Session of the 59th Legislature

Bill No.:	SB 402
Version:	INT
Request No.:	1473
Author:	Sen. Hamilton
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Bill Analysis

SB 402 creates the Prenatal Equal Protection Act. The measure provides that the mother of an unborn child may be prosecuted for causing the death of the unborn child. The measure defines a lawful medical procedure as it relates to abortion as an act performed by a licensed physician to save the life of the mother while attempting to preserve the life of the unborn child. The measure also specifies that enforcement of the criminal code as it relates to an unborn child shall be subject to the same presumptions, defenses, justifications, laws of parties, immunities, and clemencies as would apply where the victim is a person who had been born alive. The provisions of this measure shall not apply to any act committed prior to the effective date of this measure.

Prepared by: Kalen Taylor