

Bill Summary
1st Session of the 60th Legislature

Bill No.:	SB 989
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Author:	Sen. Daniels
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Bill Analysis

SB 989 creates the Wrongful Death Protection Act of 2025. The measure provides that any person who manufactures, mails, distributes, transports, delivers, or provides abortion-inducing drugs shall be held liable for the wrongful death or injury of any unborn child or pregnant woman who dies from the use of such drugs. Such persons and shall be liable regardless of whether the person's conduct is a but-for or proximate cause of the death or personal injuries suffered by an unborn child or a pregnant woman. The measure provides for an affirmative defense if the person was unaware the person used such drugs or took every reasonable precaution to ensure that the person would not manufacture or distribute the drugs. The measure outlines several items that may not be used in the defense.

No person shall be held liable if the drug was used to preserve the life of the mother, engaged in free speech, or engaged in conduct the state may not regulate. Conduct taken at the behest of federal agencies as well as the provision of basic public services shall not subject a person to liability. A pregnant woman seeking an abortion shall not be liable. Civil actions may be brought in the county where the events occurred, the residence for any one of the natural person defendants, the principal office of a defendant, or the residence for the claimant if the claimant is a natural person. The measure provides for sovereign immunity.

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