

SB34 INTRODUCED



1 YMDL2N-1
2 By Senators Figures, Singleton, Stewart, Coleman-Madison,
3 Coleman, Smitherman, Hatcher
4 RFD: Judiciary
5 First Read: 07-Mar-23
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SYNOPSIS:

Under The Alabama Human Life Protection Act, effective November 15, 2019, a person who performs or attempts to perform an abortion, except under certain circumstances to prevent serious health risks to the mother, is guilty of a felony.

This bill would repeal The Alabama Human Life Protection Act.

A BILL
TO BE ENTITLED
AN ACT

Relating to abortion; to provide legislative findings; and to repeal The Alabama Human Life Protection Act, now appearing as Chapter 23H of Title 26, Code of Alabama 1975, providing for criminal penalties for the performance of an abortion or attempted abortion.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) The Legislature finds and declares the following:

(1) The Alabama Human Life Protection Act, enacted during the 2019 Regular Session, makes it a felony to perform an abortion or to attempt an abortion; except for an exception



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29 relating to the health of the mother, the act provides no
30 other exception to its prohibitions.

31 (2) This law has been criticized as one of the
32 strictest abortion laws in the country and even religious
33 conservatives have questioned the lack of reasonable
34 exceptions to the prohibition; for example, televangelist Pat
35 Robertson has labeled the law as "extreme" and concluded that
36 Alabama has "gone too far."

37 (3) Former President Donald Trump also questioned the
38 reach of this law; he tweeted, "I am strongly Pro-Life, with
39 the three exceptions - Rape, Incest and protecting the Life of
40 the mother - the same position taken by Ronald Reagan."

41 (4) The overreach of this law has served as the
42 catalyst for a tarnished view of our state, which will
43 negatively impact tourism and our economy; numerous groups
44 have called for a boycott of our state and other states and
45 localities have chosen not to authorize the spending of state
46 resources on travel to our state.

47 (5) Proponents of the law have conceded that the state
48 is headed for a long and expensive court battle to defend the
49 law, which will, in turn, unnecessarily cost the taxpayers of
50 this state.

51 (6) Rather than spending state funds on unnecessary and
52 unfruitful legal battles, our resources would be better served
53 to address the immediate and urgent needs of Alabamians in
54 this state, including the following:

55 a. The infant mortality crisis; in 2017, Alabama had
56 the fourth worst infant mortality rate in the country: 7.4



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57 deaths per 1,000 live births.

58 b. The rural health care crisis in this state; a lack
59 of access to health care in rural areas, access to hospitals,
60 and retention of physicians perpetuates poverty, preventable
61 diseases and illnesses, and is a significant contributing
62 factor to Alabama's 49th ranking in the nation for life
63 expectancy rates.

64 c. The health insurance crisis; this state's failure to
65 expand Medicaid has left more than 140,000 Alabamians
66 uninsured and without access to basic health care.

67 (b) The Alabama Human Life Protection Act, now
68 appearing as Chapter 23H of Title 26, Code of Alabama 1975,
69 providing criminal penalties for the performance of an
70 abortion or attempted abortion, is repealed.

71 Section 2. This act shall become effective immediately
72 following its passage and approval by the Governor, or its
73 otherwise becoming law.