

ALASKA STATE LEGISLATURE

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North to the Future

Senator Cathy Giessel

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Sectional Analysis

Senate Bill 124 Born Alive

Section 1: Amends AS 18.16.010 by adding new subsections to provide for a physician to use the method of terminating the pregnancy that best provides for the unborn child to survive outside the mother's womb. It requires health practitioners present at the procedure to exercise the same degree of professional practice and diligence to preserve the life of the viable child born as would be provided to a child born through the course of natural birth. Provides definitions for "alive," "clinical judgment," "fertilization," and "fetal age."

Section 2: Amends AS 18.16 by adding a new section that would allow a parent of a child born alive during the process of an abortion to surrender the child to a physician or employee of the hospital. The person to whom the child had been surrendered will notify the Department of Health and Social Services as required under AS 47.10.013(d).

Section 3: Amends AS 47.10.011 and adds a provision in the Child in Need of Aid (CINA) statute to include a child born alive during the termination of a pregnancy whose parent is unwilling or unable to care for the infant.

Section 4: Adds an applicability provision that states that AS 18.16.010(k)-(m), added by Sec. 1, AS 18.16.012, added by Sec. 2, and AS 47.10.011, as amended by Sec. 3 apply to abortions performed or induced on or after the effective dates of those sections.

Section 5: Provides for an immediate effective date for this Act.