

BILL SUMMARY
2nd Session of the 57th Legislature

Bill No.:	SB 1723
Version:	Engrossed
Request Number:	
Author:	Bullard (S), Gann (S)
Date:	4/30/2020
Impact:	Please see previous summary of this measure

Research Analysis

SB 1728 creates the Unborn Person Wrongful Death Act. The measure modifies provisions related to awarding damages resulting from wrongful deaths. Parents and grandparents of unborn children may seek damages against a physician if an abortion is performed:

- Without the consent of the pregnant woman,
- In which the pregnant woman is a minor,
- Resulting in mental or physical harm to the pregnant woman,
- Without screenings to determine potential risk factors, or
- In violation of other state laws.

Physicians may not waive liability prior to performing the abortion. Recoverable damages may not include the cost of the abortion. Lastly, the measure removes the exclusion of legal abortions and acts committed during diagnostic testing or treatment from deaths which may constitute recoverable damages.

Prepared By: Anna Rouw

Fiscal Analysis

The measure is currently under review and impact information will be completed.

Prepared By: Mark Tygret

Other Considerations

None.