

# SENATE BILL No. 589

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-35-5.5.

**Synopsis:** Reproductive rights. States that every individual has a fundamental right to: (1) choose or refuse contraception or sterilization; (2) parent the individual's child; and (3) choose, if the individual is pregnant, whether to carry a pregnancy to term, give birth, place the child for adoption, or have an abortion. Prohibits the state from denying or interfering with the individual's specified rights. Specifies that a fertilized egg, embryo, and fetus do not have independent rights in Indiana.

**Effective:** July 1, 2019.

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## Breaux

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January 15, 2019, read first time and referred to Committee on Judiciary.

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First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

## SENATE BILL No. 589

A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 16-35-5.5 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2019]:
- 4 **Chapter 5.5. Reproductive Rights**
- 5 **Sec. 1. Every individual has the fundamental right to:**
- 6 **(1) choose; or**
- 7 **(2) refuse;**
- 8 **contraception or sterilization.**
- 9 **Sec. 2. Every individual has the fundamental right to parent the**
- 10 **individual's child.**
- 11 **Sec. 3. Every individual who becomes pregnant has the**
- 12 **fundamental right to choose any of the following:**
- 13 **(1) Carry the pregnancy to term.**
- 14 **(2) Give birth.**
- 15 **(3) Place the child for adoption.**
- 16 **(4) Have an abortion.**
- 17 **Sec. 4. (a) Every individual should be able to decide:**



1           (1) when;  
 2           (2) whether; and  
 3           (3) under what circumstances;  
 4 to become a parent.

5           (b) Every individual should have access to resources before,  
 6 during, and after pregnancy.

7           **Sec. 5. The state shall not deny or interfere with an individual's**  
 8 **right, including an individual under the supervision or control of**  
 9 **the state, to any of the following:**

10           (1) To choose or refuse contraception or sterilization.

11           (2) Except for child abuse or neglect, to parent the  
 12 individual's child.

13           (3) To choose whether to:

14               (A) carry a pregnancy to term;

15               (B) give birth;

16               (C) place a child for adoption; or

17               (D) have an abortion.

18           **Sec. 6. The following do not have independent rights in Indiana:**

19           (1) A fertilized egg.

20           (2) An embryo.

21           (3) A fetus.

