

119TH CONGRESS  
2D SESSION

# S. 4880

To amend title 18, United States Code, to prohibit dismemberment abortions,  
and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

JUNE 24, 2026

Mr. ROUNDS (for himself, Mrs. HYDE-SMITH, Mr. BUDD, Mr. RISCH, Mr. DAINES, Mr. BANKS, Mr. LANKFORD, Mr. CRAMER, Mr. MARSHALL, Mr. HAWLEY, and Mrs. BLACKBURN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

---

## A BILL

To amend title 18, United States Code, to prohibit  
dismemberment abortions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Dismemberment Abor-  
5 tion Ban Act of 2026”.

6 **SEC. 2. DISMEMBERMENT ABORTION BAN.**

7 (a) IN GENERAL.—Chapter 74 of title 18, United  
8 States Code, is amended by inserting after section 1531  
9 the following:

1 **“§ 1532. Dismemberment abortion ban**

2 “(a) DISMEMBERMENT ABORTION PROHIBITED.—

3 “(1) IN GENERAL.—Any physician who, in or  
4 affecting interstate or foreign commerce, knowingly  
5 performs a dismemberment abortion and thereby  
6 kills an unborn child shall be fined under this title  
7 or imprisoned not more than 2 years, or both.

8 “(2) EXCEPTION.—Paragraph (1) shall not  
9 apply to a dismemberment abortion that is necessary  
10 to save the life of a mother whose life is endangered  
11 by a physical disorder, physical illness, or physical  
12 injury, including a life-endangering physical condi-  
13 tion caused by or arising from the pregnancy itself.

14 “(b) RULE OF CONSTRUCTION.—Nothing in this sec-  
15 tion shall be construed to limit abortions performed for  
16 any reason, including when the pregnancy is a result of  
17 rape or incest, if performed by a method other than dis-  
18 memberment abortion.

19 “(c) CIVIL REMEDIES.—

20 “(1) CIVIL ACTION BY A WOMAN ON WHOM AN  
21 ABORTION IS PERFORMED.—A woman upon whom  
22 an abortion has been performed in violation of sub-  
23 section (a) may, in a civil action against any person  
24 who committed the violation, obtain appropriate re-  
25 lief.

1           “(2) CIVIL ACTION BY A PARENT OF A MINOR  
2           ON WHOM AN ABORTION IS PERFORMED.—A parent  
3           of a minor upon whom an abortion has been per-  
4           formed in violation of subsection (a) may, in a civil  
5           action against any person who committed the viola-  
6           tion, obtain appropriate relief, unless the pregnancy  
7           resulted from the plaintiff’s criminal conduct.

8           “(3) APPROPRIATE RELIEF.—Appropriate relief  
9           in a civil action under this subsection includes—

10                   “(A) objectively verifiable money damages  
11                   for all injuries, psychological and physical, occa-  
12                   sioned by the violation;

13                   “(B) statutory damages equal to 3 times  
14                   the cost of the abortion; and

15                   “(C) punitive damages.

16           “(4) ATTORNEY’S FEES FOR PLAINTIFF.—The  
17           court shall award a reasonable attorney’s fee as part  
18           of the costs to a prevailing plaintiff in a civil action  
19           under this subsection.

20           “(5) ATTORNEY’S FEES FOR DEFENDANT.—If a  
21           defendant in a civil action under this subsection pre-  
22           vails and the court finds that the plaintiff’s suit was  
23           frivolous, the court shall award a reasonable attor-  
24           ney’s fee in favor of the defendant against the plain-  
25           tiff.

1           “(6) AWARDS AGAINST WOMAN.—Except as  
 2           provided in paragraph (5), in a civil action under  
 3           this subsection, no damages, attorney’s fee, or other  
 4           monetary relief may be assessed against the woman  
 5           upon whom the abortion was performed or at-  
 6           tempted.

7           “(d) IMMUNITY FROM PROSECUTION FOR WOMAN  
 8           UPON WHOM A DISMEMBERMENT ABORTION IS PER-  
 9           FORMED.—A woman upon whom a dismemberment abor-  
 10          tion is performed may not be prosecuted under this sec-  
 11          tion, for a conspiracy to violate this section, or for an of-  
 12          fense under section 2, 3, or 4 of this title based on a viola-  
 13          tion of this section.

14          “(e) DEFINITIONS.—In this section:

15                 “(1) ABORTION.—The term ‘abortion’ means  
 16                 the use or prescription of any instrument, medicine,  
 17                 drug, or any other substance or device—

18                         “(A) to intentionally kill the unborn child  
 19                         of a woman known to be pregnant; or

20                         “(B) to intentionally terminate the preg-  
 21                         nancy of a woman known to be pregnant, with  
 22                         an intention other than—

23                                 “(i) after viability, to produce a live  
 24                                 birth and preserve the life and health of  
 25                                 the child born alive; or

1 “(ii) to remove a dead unborn child.

2 “(2) DISMEMBERMENT ABORTION.—

3 “(A) IN GENERAL.—The term ‘dismember-  
4 ment abortion’ means, with the purpose of  
5 causing the death of an unborn child, knowingly  
6 dismembering an unborn child and extracting  
7 the unborn child one piece at a time or intact  
8 but crushed from the uterus through the use of  
9 clamps, grasping forceps, tongs, scissors, or  
10 similar instruments that, through the conver-  
11 gence of 2 rigid levers, slice, crush, or grasp a  
12 portion of the unborn child’s body in order to  
13 cut or rip it off or crush it.

14 “(B) EXCLUSIONS.—The term ‘dis-  
15 memberment abortion’ does not include—

16 “(i) an abortion that uses suction to  
17 dismember the body of the unborn child by  
18 sucking fetal parts into a collection con-  
19 tainer unless the actions described in sub-  
20 paragraph (A) are used to cause the death  
21 of an unborn child and suction is subse-  
22 quently used to extract fetal parts after  
23 the death of the unborn child; or

24 “(ii) a procedure to remove a deceased  
25 unborn child—

1                   “(I) whose death was the result  
2                   of a miscarriage or a medical emer-  
3                   gency; or

4                   “(II) who otherwise died not as  
5                   the result of intervening action by a  
6                   physician to cause such death in prep-  
7                   aration for performing the actions de-  
8                   scribed in subparagraph (A).

9                   “(3) MINOR.—The term ‘minor’ means an indi-  
10                  vidual who has not attained the age of 18 years.

11                  “(4) PHYSICIAN.—

12                   “(A) IN GENERAL.—The term ‘physician’  
13                   means a doctor of medicine or osteopathy le-  
14                   gally authorized to practice medicine and sur-  
15                   gery by the State in which the doctor performs  
16                   such activity, or any other individual legally au-  
17                   thorized by the State to perform abortions.

18                   “(B) LIABILITY OF NON-PHYSICIANS.—  
19                   Notwithstanding subparagraph (A), any indi-  
20                   vidual who is not a physician or not otherwise  
21                   legally authorized by the State to perform abor-  
22                   tions but nevertheless directly performs an  
23                   abortion prohibited under this section shall be  
24                   subject to this section in the same manner as  
25                   a physician.

1           “(5) UNBORN CHILD.—The term ‘unborn child’  
 2           means an individual organism of the species homo  
 3           sapiens, beginning at fertilization, until the point of  
 4           being born alive as defined in section 8(b) of title  
 5           1.”.

6           (b) CLERICAL AMENDMENT.—The table of sections  
 7           at the beginning of chapter 74 of title 18, United States  
 8           Code, is amended by adding at the end the following:

“1532. Dismemberment abortion ban.”.

9           (c) CHAPTER HEADING AMENDMENTS.—

10           (1) CHAPTER HEADING IN CHAPTER.—The  
 11           chapter heading for chapter 74 of title 18, United  
 12           States Code, is amended by striking “**PARTIAL-**  
 13           **BIRTH ABORTIONS**” and inserting “**ABOR-**  
 14           **TIONS**”.

15           (2) TABLE OF CHAPTERS FOR PART I.—The  
 16           item relating to chapter 74 in the table of chapters  
 17           at the beginning of part I of title 18, United States  
 18           Code, is amended by striking “**Partial-birth**  
 19           **abortions**” and inserting “**Abortions**”.

○