

109TH CONGRESS
1ST SESSION

H. R. 776

To provide that human life shall be deemed to exist from conception.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 2005

Mr. PAUL (for himself, Mr. GARRETT of New Jersey, and Mr. BARTLETT of Maryland) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide that human life shall be deemed to exist from
conception.

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 “Sanctity of Life Act
5 of 2005”.

6 **SEC. 2. FINDING AND DECLARATION.**

7 (a) FINDING.—The Congress finds that present day
8 scientific evidence indicates a significant likelihood that
9 actual human life exists from conception.

1 (b) DECLARATION.—Upon the basis of this finding,
 2 and in the exercise of the powers of the Congress—

3 (1) the Congress declares that—

4 (A) human life shall be deemed to exist
 5 from conception, without regard to race, sex,
 6 age, health, defect, or condition of dependency;
 7 and

8 (B) the term “person” shall include all
 9 human life as defined in subparagraph (A); and

10 (2) the Congress recognizes that each State has
 11 the authority to protect lives of unborn children re-
 12 siding in the jurisdiction of that State.

13 **SEC. 3. LIMITATION ON APPELLATE JURISDICTION.**

14 (a) IN GENERAL.—Chapter 81 of title 28, United
 15 States Code, is amended by adding at the end the fol-
 16 lowing new section:

17 **“§ 1260. Appellate jurisdiction; limitation**

18 “Notwithstanding the provisions of sections 1253,
 19 1254, and 1257, the Supreme Court shall not have juris-
 20 diction to review, by appeal, writ of certiorari, or other-
 21 wise, any case arising out of any statute, ordinance, rule,
 22 regulation, practice, or any part thereof, or arising out of
 23 any act interpreting, applying, enforcing, or effecting any
 24 statute, ordinance, rule, regulation, or practice, on the

1 grounds that such statute, ordinance, rule, regulation,
 2 practice, act, or part thereof—

3 “(1) protects the rights of human persons be-
 4 tween conception and birth; or

5 “(2) prohibits, limits, or regulates—

6 “(A) the performance of abortions; or

7 “(B) the provision of public expense of
 8 funds, facilities, personnel, or other assistance
 9 for the performance of abortions.”.

10 (b) CONFORMING AMENDMENT.—The table of sec-
 11 tions at the beginning of chapter 81 of title 28, United
 12 States Code, is amended by adding at the end the fol-
 13 lowing new item:

“1260. Appellate jurisdiction; limitation.”.

14 **SEC. 4. LIMITATION ON DISTRICT COURT JURISDICTION.**

15 (a) IN GENERAL.—Chapter 85 of title 28, United
 16 States Code, is amended by adding at the end the fol-
 17 lowing new section:

18 **“§ 1370. Limitation on jurisdiction**

19 “Notwithstanding any other provision of law, the dis-
 20 trict courts shall not have jurisdiction of any case or ques-
 21 tion which the Supreme Court does not have jurisdiction
 22 to review under section 1260 of this title.”.

23 (b) CONFORMING AMENDMENT.—The table of sec-
 24 tions at the beginning of chapter 85 of title 28, United

1 States Code, is amended by adding at the end the fol-
2 lowing new item:

“1370. Limitation on jurisdiction.”.

3 **SEC. 5. EFFECTIVE DATE.**

4 The provisions of this Act shall take effect on the
5 date of the enactment of this Act, and shall apply to any
6 case pending on such date of enactment.

7 **SEC. 6. SEVERABILITY.**

8 If any provision of this Act or the amendments made
9 by this Act, or the application of this Act or such amend-
10 ments to any person or circumstance is determined by a
11 court to be invalid, the validity of the remainder of this
12 Act and the amendments made by this Act and the appli-
13 cation of such provision to other persons and cir-
14 cumstances shall not be affected by such determination.

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