

119TH CONGRESS
2D SESSION

H. R. 8603

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 2026

Mrs. CAMMACK (for herself, Mr. ONDER, Mr. SMITH of New Jersey, Mr. HARRIS of Maryland, Mrs. FISCHBACH, Mrs. BIGGS of South Carolina, Mr. WILLIAMS of Texas, Mr. STEUBE, Mr. BOST, Ms. TENNEY, Mr. ESTES, Mr. STUTZMAN, Mr. KELLY of Pennsylvania, and Mr. MANN) introduced the following bill; which was 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 Any physician who, in or affecting interstate or foreign
4 commerce, knowingly performs a dismemberment abortion
5 and thereby kills an unborn child shall be fined under this
6 title or imprisoned not more than 2 years, or both. This
7 subsection does not apply to a dismemberment abortion
8 that is necessary to save the life of a mother whose life
9 is endangered by a physical disorder, physical illness, or
10 physical injury, including a life-endangering physical con-
11 dition caused by or arising from the pregnancy itself.

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

17 “(c) CIVIL REMEDIES.—

18 “(1) CIVIL ACTION BY A WOMAN ON WHOM AN
19 ABORTION IS PERFORMED.—A woman upon whom
20 an abortion has been performed in violation of any
21 provision of this section may, in a civil action
22 against any person who committed the violation, ob-
23 tain appropriate relief.

24 “(2) CIVIL ACTION BY A PARENT OF A MINOR
25 ON WHOM AN ABORTION IS PERFORMED.—A parent
26 of a minor upon whom an abortion has been per-

1 formed in violation of any provision of this section
2 may, in a civil action against any person who com-
3 mitted the violation obtain appropriate relief, unless
4 the pregnancy resulted from the plaintiff's criminal
5 conduct.

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

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

11 “(B) statutory damages equal to three
12 times the cost of the abortion; and

13 “(C) punitive damages.

14 “(4) ATTORNEYS FEES FOR PLAINTIFF.—The
15 court shall award a reasonable attorney's fee as part
16 of the costs to a prevailing plaintiff in a civil action
17 under this subsection.

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

24 “(6) AWARDS AGAINST WOMAN.—Except under
25 paragraph (5), in a civil action under this sub-

1 section, no damages, attorney's fee or other mone-
2 tary relief may be assessed against the woman upon
3 whom the abortion was performed or attempted.

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

11 “(e) DEFINITIONS.—In this section—

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

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

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

20 “(i) after viability to produce a live
21 birth and preserve the life and health of
22 the child born alive; or

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

24 “(2) DISMEMBERMENT ABORTION.—The term
25 ‘dismemberment abortion’—

1 “(A) means, with the purpose of causing
2 the death of an unborn child, knowingly dis-
3 membering an unborn child and extracting such
4 unborn child one piece at a time or intact but
5 crushed from the uterus through the use of
6 clamps, grasping forceps, tongs, scissors or
7 similar instruments that, through the conver-
8 gence of two rigid levers, slice, crush, or grasp
9 a portion of the unborn child’s body in order to
10 cut or rip it off or crush it; but

11 “(B) does not include—

12 “(i) an abortion which uses suction to
13 dismember the body of the unborn child by
14 sucking fetal parts into a collection con-
15 tainer unless the actions described in sub-
16 paragraph (A) are used to cause the death
17 of an unborn child but suction is subse-
18 quently used to extract fetal parts after
19 the death of the unborn child; or

20 “(ii) a procedure to remove a deceased
21 unborn child—

22 “(I) whose death was the result
23 of a miscarriage or a medical emer-
24 gency; or

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

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

8 “(4) PHYSICIAN.—The term ‘physician’ means
9 a doctor of medicine or osteopathy legally authorized
10 to practice medicine and surgery by the State in
11 which the doctor performs such activity, or any
12 other individual legally authorized by the State to
13 perform abortions: *Provided, however,* That any indi-
14 vidual who is not a physician or not otherwise legally
15 authorized by the State to perform abortions, but
16 who nevertheless directly performs an abortion pro-
17 hibited in this section shall be subject to the provi-
18 sions of this section.

19 “(5) UNBORN CHILD.—The term ‘unborn child’
20 means an individual organism of the species homo
21 sapiens, beginning at fertilization, until the point of
22 being born alive as defined in section 8(b) of title
23 1.”.

24 (b) CLERICAL AMENDMENT.—The table of sections
25 at the beginning of chapter 74 of title 18, United States

1 Code, is amended by adding at the end the following new
2 item:

“1532. Dismemberment abortion ban.”.

3 (c) CHAPTER HEADING AMENDMENTS.—

4 (1) CHAPTER HEADING IN CHAPTER.—The
5 chapter heading for chapter 74 of title 18, United
6 States Code, is amended by striking “**PARTIAL-**
7 **BIRTH ABORTIONS**” and inserting “**ABOR-**
8 **TIONS**”.

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

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