

119TH CONGRESS
2D SESSION

S. 3650

To amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

IN THE SENATE OF THE UNITED STATES

JANUARY 15, 2026

Mrs. MOODY (for herself, Mr. RISCH, Mr. LANKFORD, Mr. DAINES, Mrs. FISCHER, Mr. CASSIDY, Mr. KENNEDY, Mr. CRAMER, and Mr. RICKETTS) 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 taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

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 “Child Interstate Abor-

5 tion Notification Act”.

1 **SEC. 2. TRANSPORTATION OF MINORS IN CIRCUMVENTION**
 2 **OF CERTAIN LAWS RELATING TO ABORTION.**

3 Part I of title 18, United States Code, is amended
 4 by inserting after chapter 117 the following:

5 **“CHAPTER 117A—TRANSPORTATION OF**
 6 **MINORS IN CIRCUMVENTION OF CER-**
 7 **TAIN LAWS RELATING TO ABORTION**

“Sec.

“2431. Transportation of minors in circumvention of certain laws relating to abortion.

“2432. Transportation of minors, in circumvention of certain laws relating to abortion, by individuals committing incest.

8 **“§ 2431. Transportation of minors in circumvention of**
 9 **certain laws relating to abortion**

10 **“(a) OFFENSE.—**

11 **“(1) GENERALLY.—**Except as provided in sub-
 12 section (b), whoever knowingly transports a minor
 13 across a State line, with the intent that such minor
 14 obtain an abortion, and thereby in fact abridges the
 15 right of a parent under a law requiring parental in-
 16 volvement in a minor’s abortion decision, in force in
 17 the State in which the minor resides, shall be fined
 18 under this title or imprisoned not more than 1 year,
 19 or both.

20 **“(2) DEFINITION.—**For the purposes of this
 21 subsection, an abridgement of the right of a parent
 22 under a law requiring parental involvement in a mi-
 23 nor’s abortion decision occurs if an abortion is per-

1 formed or induced on the minor, in a State other
 2 than the State in which the minor resides or in a
 3 foreign country, without the parental consent or no-
 4 tification, or the judicial authorization, that would
 5 have been required by that law had the abortion
 6 been performed in the State in which the minor re-
 7 sides.

8 “(b) EXCEPTIONS.—

9 “(1) LIFE-ENDANGERING CONDITIONS.—The
 10 prohibition under subsection (a) shall not apply if
 11 the abortion is necessary to save the life of the
 12 minor because her life is endangered by a physical
 13 disorder, physical injury, or physical illness, includ-
 14 ing a life endangering physical condition caused by
 15 or arising from the pregnancy itself.

16 “(2) MINORS AND PARENTS.—A minor trans-
 17 ported in violation of this section, and any parent of
 18 that minor, may not be prosecuted or sued for a vio-
 19 lation of this section, a conspiracy to violate this sec-
 20 tion, or an offense under section 2 or 3 of this title
 21 based on a violation of this section.

22 “(c) AFFIRMATIVE DEFENSE.—It is an affirmative
 23 defense to a prosecution for an offense, or to a civil action,
 24 based on a violation of this section that the defendant—

1 “(1) reasonably believed, based on information
2 the defendant obtained directly from a parent of the
3 minor, that before the minor obtained the abortion,
4 the parental consent or notification took place that
5 would have been required by the law requiring pa-
6 rental involvement in a minor’s abortion decision,
7 had the abortion been performed in the State in
8 which the minor resides; or

9 “(2) was presented with documentation showing
10 with a reasonable degree of certainty that a court in
11 the minor’s State of residence waived any parental
12 notification required by the laws of that State, or
13 otherwise authorized that the minor be allowed to
14 procure an abortion.

15 “(d) CIVIL ACTION.—Any parent who suffers harm
16 from a violation of subsection (a) may obtain appropriate
17 relief in a civil action unless the parent has committed
18 an act of incest with the minor described in subsection
19 (a).

20 “(e) DEFINITIONS.—For the purposes of this sec-
21 tion—

22 “(1) the term ‘abortion’ means the use or pre-
23 scription of any instrument, medicine, drug, or other
24 substance or device to intentionally—

1 “(A) kill the unborn child of a woman
2 known to be pregnant; or

3 “(B) prematurely terminate the pregnancy
4 of a woman known to be pregnant, with an in-
5 tention other than to—

6 “(i) increase the probability of a live
7 birth or of preserving the life or health of
8 the child after live birth; or

9 “(ii) remove a dead unborn child;

10 “(2) the term ‘law requiring parental involve-
11 ment in a minor’s abortion decision’ means a law—

12 “(A) requiring, before an abortion is per-
13 formed on a minor, either—

14 “(i) the notification to, or consent of,
15 a parent of that minor; or

16 “(ii) proceedings in a State court; and

17 “(B) that does not provide as an alter-
18 native to the requirements described in sub-
19 paragraph (A) notification to or consent of any
20 person or entity who is not described in that
21 subparagraph;

22 “(3) the term ‘minor’ means an individual who
23 is not older than the maximum age requiring paren-
24 tal notification or consent, or proceedings in a State

1 court, under the law requiring parental involvement
2 in a minor’s abortion decision;

3 “(4) the term ‘parent’ means—

4 “(A) a parent or guardian;

5 “(B) a legal custodian; or

6 “(C) an individual standing in loco
7 parentis—

8 “(i) who has care and control of the
9 minor;

10 “(ii) with whom the minor regularly
11 resides; and

12 “(iii) who is designated by the law re-
13 quiring parental involvement in a minor’s
14 abortion decision as an individual to whom
15 notification, or from whom consent, is re-
16 quired; and

17 “(5) the term ‘State’ includes—

18 “(A) the District of Columbia;

19 “(B) any commonwealth, possession, or
20 other territory of the United States; and

21 “(C) any Indian Tribe or reservation.

1 **“§ 2432. Transportation of minors, in circumvention**
 2 **of certain laws relating to abortion, by in-**
 3 **dividuals committing incest**

4 “(a) OFFENSE.—Notwithstanding section
 5 2431(b)(2), whoever has committed an act of incest with
 6 a minor and knowingly transports the minor across a
 7 State line with the intent that such minor obtain an abor-
 8 tion, shall be fined under this title or imprisoned not more
 9 than 1 year, or both.

10 “(b) DEFINITIONS.—For the purposes of this section,
 11 the terms ‘abortion’, ‘minor’, and ‘State’ have the mean-
 12 ings given those terms in section 2435.”.

13 **SEC. 3. CHILD INTERSTATE ABORTION NOTIFICATION.**

14 Part I of title 18, United States Code, is amended
 15 by inserting after chapter 117A (as added by section 2)
 16 the following:

17 **“CHAPTER 117B—CHILD INTERSTATE**
 18 **ABORTION NOTIFICATION**

“Sec.
 “2435. Child interstate abortion notification.

19 **“§ 2435. Child interstate abortion notification**

20 “(a) OFFENSE.—

21 “(1) GENERALLY.—A physician who knowingly
 22 performs or induces an abortion on a minor in viola-
 23 tion of the requirement under paragraph (2) shall be

1 fined under this title or imprisoned not more than
2 1 year, or both.

3 “(2) PARENTAL NOTIFICATION.—

4 “(A) ACTUAL NOTICE.—A physician who
5 performs or induces an abortion on a minor
6 who is a resident of a State other than the
7 State in which the abortion is performed or in-
8 duced shall provide, or cause his or her agent
9 to provide, not less than 24 hours actual notice
10 to a parent of the minor before performing or
11 inducing the abortion.

12 “(B) CONSTRUCTIVE NOTICE.—If actual
13 notice to a parent under subparagraph (A) is
14 not accomplished after a reasonable effort has
15 been made, not less than 24 hours constructive
16 notice shall be given to a parent before the
17 abortion is performed or induced.

18 “(b) EXCEPTIONS.—The notification requirement
19 under subsection (a)(2) shall not apply if—

20 “(1) the abortion is performed or induced in a
21 State that has in force a law requiring parental in-
22 volvement in a minor’s abortion decision and the
23 physician complies with the requirements of that
24 law;

1 “(2) the physician is presented with documenta-
2 tion showing with a reasonable degree of certainty
3 that a court in the minor’s State of residence has
4 waived any parental notification required by the laws
5 of that State, or has otherwise authorized that the
6 minor be allowed to procure an abortion;

7 “(3) the minor declares in a signed written
8 statement that she is the victim of sexual abuse, ne-
9 glect, or physical abuse by a parent, and, before an
10 abortion is performed or induced on the minor, the
11 physician notifies the authorities specified to receive
12 reports of child abuse or neglect by the law of the
13 State in which the minor resides of the known or
14 suspected abuse or neglect;

15 “(4) the abortion is necessary to save the life
16 of the minor because her life was endangered by a
17 physical disorder, physical injury, or physical illness,
18 including a life endangering physical condition
19 caused by or arising from the pregnancy itself, ex-
20 cept that an exception under this paragraph shall
21 not apply unless the attending physician or an agent
22 of such physician, not later than 24 hours after com-
23 pletion of the abortion, notifies a parent in writing
24 that an abortion was performed or induced, as appli-

1 cable, on the minor and of the circumstances that
2 warranted invocation of this paragraph; or

3 “(5) the minor is physically accompanied by a
4 person who presents the physician or his or her
5 agent with documentation showing with a reasonable
6 degree of certainty that he or she is in fact the par-
7 ent of that minor.

8 “(c) CIVIL ACTION.—Any parent who suffers harm
9 from a violation of subsection (a) may obtain appropriate
10 relief in a civil action unless the parent has committed
11 an act of incest with the minor described in subsection
12 (a).

13 “(d) DEFINITIONS.—For the purposes of this sec-
14 tion—

15 “(1) the term ‘abortion’ means the use or pre-
16 scription of any instrument, medicine, drug, or other
17 substance or device to intentionally—

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

20 “(B) prematurely terminate the pregnancy
21 of a woman known to be pregnant, with an in-
22 tention other than to—

23 “(i) increase the probability of a live
24 birth or of preserving the life or health of
25 the child after live birth; or

1 “(ii) remove a dead unborn child;

2 “(2) the term ‘actual notice’ means the giving
3 of written notice directly, in person, by the physician
4 or any agent of the physician;

5 “(3) the term ‘constructive notice’ means notice
6 that is given by certified mail, return receipt re-
7 quested, restricted delivery to the last known ad-
8 dress of the person being notified, with delivery
9 deemed to have occurred 48 hours following noon on
10 the next day subsequent to mailing on which regular
11 mail delivery takes place, excluding days on which
12 mail is not delivered;

13 “(4) the term ‘law requiring parental involve-
14 ment in a minor’s abortion decision’ means a law—

15 “(A) requiring, before an abortion is per-
16 formed on a minor, either—

17 “(i) the notification to, or consent of,
18 a parent of that minor; or

19 “(ii) proceedings in a State court; and

20 “(B) that does not provide as an alter-
21 native to the requirements described in sub-
22 paragraph (A) notification to or consent of any
23 person or entity who is not described in that
24 subparagraph;

1 “(5) the term ‘minor’ means an individual
2 who—

3 “(A) has not attained the age of 18 years;
4 and

5 “(B) is not emancipated under the law of
6 the State in which the individual resides;

7 “(6) the term ‘parent’ means—

8 “(A) a parent or guardian;

9 “(B) a legal custodian; or

10 “(C) an individual standing in loco
11 parentis—

12 “(i) who has care and control of the
13 minor; and

14 “(ii) with whom the minor regularly
15 resides,

16 as determined by State law;

17 “(7) the term ‘physician’ means—

18 “(A) a doctor of medicine legally author-
19 ized to practice medicine by the State in which
20 such doctor practices medicine; or

21 “(B) any other person legally empowered
22 under State law to perform an abortion; and

23 “(8) the term ‘State’ includes—

24 “(A) the District of Columbia;

5 The table of chapters at the beginning of part I of
6 title 18, United States Code, is amended by inserting after
7 the item relating to chapter 117 the following new items:

8 SEC. 5. SEVERABILITY AND EFFECTIVE DATE.

(b) **EFFECTIVE DATE.**—This Act and the amendments made by this Act shall take effect 45 days after the date of enactment of this Act.

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