



Written by [Christian Gomez](#) on May 7, 2019

Georgia Governor Kemp Signs “Heartbeat” LIFE Act, With Exceptions, into Law

On Tuesday, May 7, Governor Brian Kemp of Georgia signed HB 481, the Living Infants Fairness and Equality (LIFE) Act, into law. Under the new law, once a heartbeat has been detected — which can be as early as six weeks — most unborn infants will be recognized as a person with full constitutional rights and protections under Georgia law. During hospital visits, the new law recognizes such unborn infants as an additional patient. The LIFE Act also allows pregnant mothers to collect child support in order to cover pregnancy expenses, whereas previously mothers had to wait until the child was born in order to receive child support.



However, not *all* unborn infants are equal under the LIFE Act, as the law allows certain unborn infants to be aborted. Exceptions in the new law allow mothers to undergo an abortion up to 20 weeks in cases of rape or incest or in cases where the mother's life is at risk. And the law allows for abortions in cases where the unborn infant is diagnosed with a life-threatening medical issue or other genetic abnormality, such as Down Syndrome.

Initially, the bill, which was authored and introduced in the Georgia House of Representatives by Representative Ed Setzler (R-Acworth), did not include those exceptions, and Governor Kemp had said that he would sign the bill without them. Despite the exceptions, Kemp still kept his promise to sign the bill by Mother's Day.

“The Living Infants Fairness and Equality is a bill that recognizes something that many have known for years; it recognizes that science tells us that children in the womb are living, distinct human beings that are worthy of full legal protection,” Representative Setzler said of the bill prior to its signing into law.

At the signing ceremony, Georgia Speaker of the House David Ralston (R-Blue Ridge) delivered remarks reaffirming Georgia's commitment to the sanctity of human life. “At its core,” Ralston said, “House Bill 481, appropriately known as the LIFE Act, is about protecting those who truly cannot protect themselves.” Ralston also acknowledged the hard work of the Georgia Life Alliance and the Faith and Freedom Coalition for their efforts in promoting the bill.

“Georgia is a state that values life,” Governor Kemp said in remarks he delivered just before signing the bill into law. “We stand up for those who are unable to speak for themselves.”

Kemp also acknowledged the coming fury of opposition from pro-abortion activists, who are likely to sue over the new law. “Our job is to do what is right, not what is easy,” Kemp said. “We will not back down. We will always continue to fight for life.”



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Abortion extremist and actress Alyssa Milano made nationwide headlines last month when she stormed in the governor's office with a [letter](#), threatening "billions of dollars" in lost revenue if the bill was enacted into law. The ultimatum was signed by 50 liberal celebrities, including Alec Baldwin, Rosie O'Donnell, and Sarah Silverman. Georgia is home to a burgeoning film industry, with numerous motion pictures and television shows being filmed there at any given time.

Following Kemp signing the LIFE Act into law, Leana Wen, the president and CEO of Planned Parenthood, [vowed](#) to "fight this bill." The ACLU also [tweeted](#), "We've said it before and we'll say it again — we will see you in court."

In a prior [radio interview](#) on the Justin Brady Show, Representative Setzler acknowledged that the Georgia Legislature and Governor Kemp were prepared to fight for the law all the way to the U.S. Supreme Court. "Governor Kemp is putting in place a team to defend this," Setzler added. "This is really prepared to go all the way through the appellate courts and that's what we're mindful of in everything we've done."

The New American reached out to Joshua Edmonds, the executive director at [Georgia Life Alliance](#), which supports the bill even with the exceptions in place and played an instrumental role in garnering support for the bill's passage in the legislature. In a statement to *The New American*, Edmonds said:

We are thrilled that Governor Kemp signed The LIFE Act today. This bill takes a critical first step to end the "uneasy truce" between other pro-life groups and the abortion industry that abortion advocates have recently praised. As Governor Kemp said today, the LIFE Act "is just the beginning." There is still much work to be done, and we will continue fighting until every life in Georgia is protected.

Asked if the LIFE Act was still a victory for the sanctity of life despite the current exemptions, Edmonds replied, "HB 481 is, first and foremost, a pro-personhood bill. It recognizes the personhood of every child in the womb by including all preborn babies as 'persons' and is a historic first step to full personhood for all, with no exceptions."

While the LIFE Act may only be a first step, it's a major step nonetheless toward the goal of recognition of the personhood of all human life, at least from the time that an infant's heartbeat is detected in the mother's womb.

"I am so proud of our Governor for signing HB 481 today and for his strong statements in favor of life," Edmonds added. "This is the culmination of years of work behind the scenes by GLA and activists around the state, but it is just the beginning."

Regarding the exceptions in the new law, Edmonds told *The New American*, "Georgians recognize that all life is valuable, regardless of [the] manner of conception, medical diagnosis, or circumstances. That's why GLA has a comprehensive strategy to remove any and all exceptions on the right to life throughout Georgia law."

However, not all pro-life and pro-personhood groups are on board with the LIFE Act, because of the exceptions. Pro-life activist [Heather Hobbs](#), a blogger and speaker at [Save the 1](#) who testified before the Georgia Legislature in favor of the bill in its original form without any exceptions, wants to see the new law improved by removing those major loopholes. She told *The New American*, "We want the law upheld but we want the exceptions removed and to put the bill to its original form."

Hobbs continued, "The heartbeat bill in its original form, presented by Ed Setzler, was a good clean bill



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that I and Save the 1 fully supported and we want the bill to go back to how it was originally written.”

Another solution to ending abortion outside of the federal courts would be for Congress to pass a law pursuant to Article III, Section 2 of the Constitution to limit the appellate jurisdiction of the U.S. Supreme Court and all lower federal courts from adjudicating cases regarding the topic of abortion.

Critics to this approach contend that it would still leave the door open for certain states to allow abortions, however, an additional remedy to that problem may be for Congress to pass a law recognizing human life for federal purposes as beginning at conception rather than if and when a heartbeat is detected. While still in Congress, Representative Ron Paul (R-Texas) introduced both types of legislation, one to remove the appellate jurisdiction of the courts on abortion and another defining human life as beginning at conception. With both laws in place, it would make it much more difficult, if not impossible, for even liberal state legislature to pass pro-abortion legislation. Nor would such liberal legislatures have the possibility of the federal courts or Supreme Court ruling in their favor.

Removing the federal court’s and Supreme Court’s appellate jurisdiction over abortion cases would also prohibit a liberal federal judge from overturning pro-personhood or pro-life legislation, such as the clean heartbeat bills that passed and were signed into law in the states of Kentucky and Ohio without exceptions.

Georgia’s LIFE Act is a first step, and hopefully more steps will follow to ensure that all unborn people, from the moment of conception, are protected from abortion.

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