

# APLC

ALABAMA PRO-LIFE COALITION, INC.  
1200 Corporate Drive, Suite 107  
Birmingham, Alabama 35242  
E-mail: [Eric@aericjohnston.com](mailto:Eric@aericjohnston.com)

Respond to:  
A. Eric Johnston, President

Telephone: (205) 408-8893  
Facsimile: (205) 408-8894

## MEMORANDUM

**FROM:** A. Eric Johnston

**DATE:** May 15, 2019

**RE:** **HB314 – The Alabama Human Life Protection Act**

Yesterday, the Alabama Senate passed the abortion prohibition bill. It was passed by a vote of 25 for, six against and one abstention. A motion was made to reconsider and table by the sponsor, which passed 25 to seven. This was a parliamentary maneuver to keep the bill from coming up again for reconsideration.

The bill now goes to Governor Ivey. I have been in communication with her legal counsel. I do not believe there will be a problem with her signing the bill. It will be in the next day or two.

The law does not go into effect until six months after that time. This was a requirement of the Medical Association. Sometime during that period, we expect a lawsuit to be filed to test the constitutionality of the law. We further expect it to be held unconstitutional at the trial and appellate court levels. We will then ask the U.S. Supreme Court to review the law, which is discretionary.

I have attached the vote for the bill. I have also attached the vote for the rape and incest exception. It failed by a vote of 21 to 11. There were several Senators who insisted on supporting this amendment.

It is important that we communicate with Senators our pleasure with the passage of this bill. Keep in mind that those that voted for the rape and incest exception were voting to kill the bill. When the vote on the bill without the exception came up, they all voted for the bill. That is good in one way, but not another. It is good that they supported the bill. However, it is somewhat disingenuous that they would vote to kill the bill with that killer exception, and then take credit for passing the bill.

Those who live in those districts for those Senators need to keep that in mind.

It is important that we also give special recognition to those who were instrumental in overcoming the rape and incest exception. It is also important that we thank the primary sponsors of the bill. Representative Terri Collins was the House sponsor. We passed the House bill and carried it over to the Senate where Senator Clyde Chambliss took control of the bill. They both did an excellent job.

When we ran into the problem with the rape and incest exception, we had the assistance of Lieutenant Governor Will Ainsworth and Senator Majority Leader Greg Reed.

Special recognition needs to be given to Rep. Rich Wingo. He and I discussed the possibility of this bill at the end of last year's legislative session. Rich has been a constant and powerful supporter of the bill.

Everyone needs to give thanks to these specific individuals. Also, thank the Senators in your districts who voted for the bill.

We also want to thank the witnesses that took their time to come and testify for the bill. Dr. Lance Radbill, Dr. Matt Phillips, Herbie Newell and Christy Harmon (Lifeline Children Services), Reverend Bob Foust (pregnancy care centers) and Rachel Bryars.

Our next step is to get the Governor to get the bill signed. As noted, we do not expect a problem with that.

Afterwards, we will contact the Attorney General's Office to give proper and adequate representation to the state for this bill.

Thank you for your work. The last week or so with all the communications to your entities was very important. The number of phone calls and communications received by Senators was instrumental in getting their vote in favor

Pray the Lord will continue to bless our efforts.

AEJ/pmm

Roll of the Senate for Vote 717 on HB314 ( Regular Session 2019) Legislative Day: 19 Date:  
05/14/2019

Member	Vote	Member	Vote
Albritton	N	Allen	N
Barfoot	N	Beasley	Y
Burkette	Y	Butler	N
Chambliss	N	Chesteen	N
Coleman-Madison	Y	Dunn	P
Elliott	N	Figures	Y
Givhan	N	Gudger	N
Holley	P	Jones	Y
Livingston	N	Marsh	Y
McClendon	Y	Melson	N
Orr	N	Price	N
Reed	N	Roberts	N
Sanders-Fortier	Y	Scofield	N
Sessions	N	Shelnutt	N
Singleton	Y	Smitherman	Y
Stutts	N	Waggoner	N
Ward	Y	Whatley	P
Williams	N		
Total Yea: 11	Total Nays: 21	Total Abstains: 0	

*Rule 4 Must Exception Amendment*

Roll of the Senate for Vote 719 on HB314 ( Regular Session 2019) Legislative Day: 19 Date:  
05/14/2019

Member	Vote	Member	Vote
Albritton	Y	Allen	Y
Barfoot	Y	Beasley	N
Burkette	N	Butler	Y
Chambliss	Y	Chesteen	Y
Coleman-Madison	N	Dunn	P
Elliott	Y	Figures	N
Givhan	Y	Gudger	Y
Holley	P	Jones	Y
Livingston	Y	Marsh	Y
McClendon	Y	Melson	Y
Orr	Y	Price	Y
Reed	Y	Roberts	Y
Sanders-Fortier	A	Scofield	Y
Sessions	Y	Shelnutt	Y
Singleton	N	Smitherman	N
Stutts	Y	Waggoner	Y
Ward	Y	Whatley	P
Williams	Y		
Total Yea: 25		Total Nays: 6	Total Abstains: 1

VOTE ON THE BILL

Roll of the Senate for Vote 720 on HB314 ( Regular Session 2019) Legislative Day: 19 Date:  
05/14/2019

Member	Vote	Member	Vote
Albritton	Y	Allen	Y
Barfoot	Y	Beasley	N
Burkette	N	Butler	Y
Chambliss	Y	Chesteen	Y
Coleman-Madison	N	Dunn	P
Elliott	Y	Figures	N
Givhan	Y	Gudger	Y
Holley	P	Jones	Y
Livingston	Y	Marsh	Y
McClendon	Y	Melson	Y
Orr	Y	Price	Y
Reed	Y	Roberts	Y
Sanders-Fortier	N	Scofield	Y
Sessions	Y	Shelnuitt	Y
Singleton	N	Smitherman	N
Stutts	Y	Waggoner	Y
Ward	Y	Whatley	P
Williams	Y		
Total Yea: 25		Total Nays: 7	Total Abstains: 0

*Vote to Reconsider & Table*