

**146D.1 Fetal body parts — actions prohibited — penalties.**

1. A person shall not knowingly acquire, provide, receive, otherwise transfer, or use a fetal body part in this state, regardless of whether the acquisition, provision, receipt, transfer, or use is for valuable consideration.

2. [Subsection 1](#) shall not apply to any of the following:

a. Diagnostic or remedial tests, procedures, or observations which have the sole purpose of determining the life or health of the fetus in order to provide that information to the pregnant woman or to preserve the life or health of the fetus or pregnant woman.

b. The actions of a person taken in furtherance of the final disposition of a fetal body part.

c. The pathological study of body tissue, including genetic testing, for diagnostic or forensic purposes.

d. A fetal body part if the fetal body part results from a spontaneous termination of pregnancy or stillbirth and is willingly donated for the purpose of medical research.

3. A person who violates this section is guilty of a class “C” felony.

4. For the purposes of [this section](#):

a. “*Abortion*” means as defined in [section 146.1](#).

b. “*Fetal body part*” means a cell, tissue, organ, or other part of a fetus that is terminated by an abortion. “*Fetal body part*” does not include any of the following:

(1) Cultured cells or cell lines derived from a spontaneous termination of pregnancy or stillbirth and willingly donated for the purposes of medical research.

(2) A cell, tissue, organ, or other part of a fetus that is terminated by an abortion that occurred prior to July 1, 2018.

(3) All cells and tissues external to the fetal body proper.

c. “*Final disposition*” means the disposition of fetal body parts by burial, interment, entombment, cremation, or incineration.

d. “*Valuable consideration*” means any payment including but not limited to payment associated with the transportation, processing, preservation, quality control, or storage of fetal body parts.

[2018 Acts, ch 1132, §1](#)

NEW section