

2/14/96 Gene/DoBar

JAN 25 1996

JUDICIARY

HOUSE FILE 2109

BY HARRISON, BOGGESS, BRADLEY,  
BRANSTAD, BRAUNS, BRUNKHORST,  
CARROLL, COON, DAGGETT,  
DISNEY, DODERER, DRAKE, EDDIE,  
ERTL, GIPP, GREINER, GRUBBS,  
HAMMITT BARRY, HANSON, HEATON,  
HURLEY, HUSEMAN, KLEMME,  
KREMER, LAMBERTI, LARSON,  
LORD, MAIN, MARTIN, MASCHER,  
MYERS, RANTS, RENKEN, SALTON,  
SCHULTE, SUKUP, TEIG, THOMSON,  
TYRRELL, VAN FOSSEN, VANDE HOEF,  
VAN MAANEN, VEENSTRA, WITT,  
OLLIE, HALVORSON, WELTER, MUNDIE,  
BLODGETT, FALLON, GARMAN, LARKIN,  
and MILLAGE

(p.357)  
Passed House, Date 2/19/96 Passed Senate, Date 4/2/96  
Vote: Ayes 96 Nays 0 Vote: Ayes 48 Nays 0  
Approved April 9, 1996

A BILL FOR

1 An Act relating to nonconsensual termination of or serious injury  
2 to a pregnancy and providing penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 707.7, unnumbered paragraphs 1, 2, and  
2 4, Code 1995, are amended to read as follows:

3 Any person who intentionally terminates a human pregnancy,  
4 with the knowledge and voluntary consent of the pregnant  
5 person, after the end of the second trimester of the pregnancy  
6 where death of the fetus results commits feticide. Feticide  
7 is a class "C" felony.

8 Any person who attempts to intentionally terminate a human  
9 pregnancy, with the knowledge and voluntary consent of the  
10 pregnant person, after the end of the second trimester of the  
11 pregnancy where death of the fetus does not result commits  
12 attempted feticide. Attempted feticide is a class "D" felony.

13 Any person who terminates a human pregnancy, with the  
14 knowledge and voluntary consent of the pregnant person, who is  
15 not a person licensed to practice medicine and surgery under  
16 the provisions of chapter 148, or an osteopathic physician and  
17 surgeon licensed to practice osteopathic medicine and surgery  
18 under the provisions of chapter 150A, commits a class "C"  
19 felony.

20 Sec. 2. Section 707.8, Code 1995, is amended to read as  
21 follows:

22 707.8 NONCONSENSUAL TERMINATION -- SERIOUS INJURY TO A  
23 HUMAN PREGNANCY.

24 1. A person who terminates a human pregnancy without the  
25 consent of the pregnant person during the commission of a  
26 forcible felony is guilty of a class "B" felony.

27 ~~1-~~ 2. A person who terminates a human pregnancy without  
28 the consent of the pregnant person during the commission of a  
29 felony or felonious assault is guilty of a class "B" "C"  
30 felony.

31 ~~2-~~ 3. A person who intentionally terminates a human  
32 pregnancy without the knowledge and voluntary consent of the  
33 pregnant person is guilty of a class "C" felony. This  
34 subsection shall not apply to a termination performed without  
35 the consent or knowledge of the pregnant person by a physician

1 licensed in this state to practice medicine and surgery when  
2 circumstances preclude the pregnant person from providing  
3 consent and the termination is performed to preserve the life  
4 or health of the pregnant person or ~~of~~ to preserve the fetus  
5 pregnancy.

6 4. A person who unintentionally terminates a human  
7 pregnancy by any of the means provided pursuant to section  
8 707.6A, subsection 1, is guilty of a class "C" felony.

9 ~~3-~~ 5. A person who by force or intimidation procures the  
10 consent of the pregnant person to a termination of a pregnancy  
11 is guilty of a class "C" felony.

12 6. A person who unintentionally terminates a human  
13 pregnancy while drag racing in violation of section 321.278 is  
14 guilty of a class "D" felony.

15 7. A person who unintentionally terminates a human  
16 pregnancy by the commission of an act in a manner likely to  
17 cause death or serious injury and without the knowledge and  
18 voluntary consent of the pregnant person is guilty of a class  
19 "D" felony. This subsection shall not apply to a termination  
20 performed without the consent or knowledge of the pregnant  
21 person by a physician licensed in this state to practice  
22 medicine and surgery when circumstances preclude the pregnant  
23 person from providing consent and the termination is performed  
24 to preserve the life or health of the pregnant person or to  
25 preserve the pregnancy.

26 8. A person commits an aggravated misdemeanor when the  
27 person intentionally causes serious injury to a pregnancy by  
28 the commission of an act in a manner likely to cause death or  
29 serious injury.

30 9. A person commits an aggravated misdemeanor when the  
31 person unintentionally causes serious injury to a pregnancy by  
32 any of the means described in section 707.6A, subsection 1.

33 10. A person commits a serious misdemeanor when the person  
34 unintentionally causes serious injury to a pregnancy by the  
35 commission of an act in a manner likely to cause death or

1 serious injury.

2 11. For the purposes of this section:

3 a. "Pregnancy" means a product of human conception at any  
4 time or stage of development from conception until birth.

5 b. "Serious injury to a pregnancy" means serious injury,  
6 as defined in section 702.18, to a pregnancy which  
7 subsequently results in a live birth or actions which result  
8 in a live birth at any time or stage of development prior to  
9 thirty-seven weeks gestation.

10 EXPLANATION

11 This bill establishes several crimes relating to the  
12 nonconsensual termination of a human pregnancy and makes  
13 changes in the feticide section of the Code to distinguish  
14 consensual from nonconsensual terminations. The bill provides  
15 that a person who causes a nonconsensual termination during  
16 the commission of a forcible felony is guilty of a class "B"  
17 felony; a person who causes a nonconsensual termination during  
18 the commission of a felony or felonious assault is guilty of a  
19 class "C" felony; a person who unintentionally terminates a  
20 human pregnancy while operating a motor vehicle while under  
21 the influence of drugs or alcohol, while driving in a reckless  
22 manner, or while eluding or pursuing a law enforcement  
23 vehicle, is guilty of a class "C" felony; a person who  
24 unintentionally terminates a human pregnancy while drag racing  
25 is guilty of a class "D" felony; a person who unintentionally  
26 terminates a pregnancy by the commission of an act in a manner  
27 likely to cause death or serious injury and without the  
28 knowledge and voluntary consent of the pregnant person is  
29 guilty of a class "D" felony unless the termination is  
30 performed by a licensed physician when provision of consent is  
31 precluded and if the termination is performed to preserve the  
32 life or health of the pregnant person or to preserve the  
33 pregnancy; a person who intentionally causes serious injury to  
34 a pregnancy through commission of an act in manner likely to  
35 cause death or serious injury is guilty of an aggravated

1 misdemeanor; a person who unintentionally causes serious  
2 injury to a pregnancy by operating a motor vehicle while under  
3 the influence of drugs or alcohol, while driving in a reckless  
4 manner, or while eluding or attempting to elude a law  
5 enforcement vehicle, is guilty of an aggravated misdemeanor;  
6 and a person who unintentionally causes serious injury to a  
7 pregnancy through commission of an act in a manner likely to  
8 cause death or serious injury is guilty of a serious  
9 misdemeanor. The bill also provides definitions of  
10 "pregnancy" and "serious injury to a pregnancy".

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**HOUSE FILE 2109  
FISCAL NOTE**

The estimate for House File 2109 is hereby submitted as a fiscal note pursuant to Joint Rule 17 and as a correctional impact statement pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 2109 establishes several crimes relating to the nonconsensual termination of a human pregnancy and makes changes in the feticide section of the Code to distinguish consensual from nonconsensual terminations and provides penalties. The Bill establishes penalties for intentionally and unintentionally causing serious injury to a pregnancy through commission of specific acts. The Bill also provides definitions of "pregnancy" and "serious injury to a pregnancy".

**ASSUMPTIONS**

1. Charge, conviction, and sentencing patterns and trends will not change over the projection period.
2. Prisoner length of stay, revocation rates, and other correction's policies and practices will not change over the projection period.
3. There will be a lag effect of six months from the law's effective date to the date of first entry of affected offenders into the correctional system.
4. One Class "D" conviction may occur as a result of a traffic related incident as covered under proposed Section 707.8(4) of House File 2109.
5. Two aggravated misdemeanors and two serious misdemeanors may occur as a result of a person causing serious prenatal injury as covered under proposed Section 707.8(8 and 10) of House File 2109.

**CORRECTIONAL IMPACT**

A total of five convictions may occur each year due to the adoption of House File 2109 resulting in the following correctional impact on prisons and Community-Based Corrections populations:

Increase in Admissions to Prisons

<u>Prison</u>	<u>FY 1997</u>	<u>FY 1998</u>	<u>FY 2001</u>
Admissions	1	1	1
Population Increase	1	2	3

Increase in Admissions: Community-Based Corrections

<u>FY 1997</u>	<u>FY 1998</u>	<u>FY 2001</u>

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<u>Probation/Parole</u>			
Admissions	2	4	4
<u>Jails</u>			
Admissions	1	1	1

FISCAL IMPACT

Department of Corrections - The estimated cost increase to the Department includes:

	<u>FY 1997</u>	<u>FY 1998</u>	<u>FY 2001</u>
Prison	\$ 4,380	\$ 8,760	\$ 13,140
<u>Community-Based Corrections</u>			
Probation/Parole	1,154	2,308	2,308
Jails	18,250	18,250	18,250
Total	<u>\$ 23,784</u>	<u>\$ 29,318</u>	<u>\$ 33,698</u>

NOTE: The average marginal cost per day for a prison inmate is estimated to be \$12. The average daily cost for an inmate to be on probation/parole in Community-Based Corrections is estimated to be \$1.58. The average daily cost for a person to be in jail is estimated to be \$50.

SOURCES

Department of Human Rights  
Criminal and Juvenile Justice Planning Division  
Department of Corrections

(LSB 3860yh, PQP)

FILED FEBRUARY 19, 1996

BY DENNIS PROUTY, FISCAL DIRECTOR

## HOUSE FILE 2109

H-5073

1 Amend House File 2109 as follows:

2 1. By striking everything after the enacting  
3 clause and inserting the following:

4 "Section 1. Section 707.7, unnumbered paragraphs  
5 1, 2, and 4, Code 1995, are amended to read as  
6 follows:

7 Any person who intentionally terminates a human  
8 pregnancy, with the knowledge and voluntary consent of  
9 the pregnant person, after the end of the second  
10 trimester of the pregnancy where death of the fetus  
11 results commits feticide. Feticide is a class "C"  
12 felony.

13 Any person who attempts to intentionally terminate  
14 a human pregnancy, with the knowledge and voluntary  
15 consent of the pregnant person, after the end of the  
16 second trimester of the pregnancy where death of the  
17 fetus does not result commits attempted feticide.  
18 Attempted feticide is a class "D" felony.

19 Any person who terminates a human pregnancy, with  
20 the knowledge and voluntary consent of the pregnant  
21 person, who is not a person licensed to practice  
22 medicine and surgery under the provisions of chapter  
23 148, or an osteopathic physician and surgeon licensed  
24 to practice osteopathic medicine and surgery under the  
25 provisions of chapter 150A, commits a class "C"  
26 felony.

27 Sec. 2. Section 707.8, Code 1995, is amended to  
28 read as follows:

29 707.8 NONCONSENSUAL TERMINATION -- SERIOUS INJURY  
30 TO A HUMAN PREGNANCY.

31 1. A person who terminates a human pregnancy  
32 without the consent of the pregnant person during the  
33 commission of a forcible felony is guilty of a class  
34 "B" felony.

35 2. A person who terminates a human pregnancy  
36 without the consent of the pregnant person during the  
37 commission of a felony or felonious assault is guilty  
38 of a class "B" "C" felony.

39 3. A person who intentionally terminates a  
40 human pregnancy without the knowledge and voluntary  
41 consent of the pregnant person is guilty of a class  
42 "C" felony. ~~This subsection shall not apply to a~~  
43 ~~termination performed without the consent or knowledge~~  
44 ~~of the pregnant person by a physician licensed in this~~  
45 ~~state to practice medicine and surgery when~~  
46 ~~circumstances preclude the pregnant person from~~  
47 ~~providing consent and the termination is performed to~~  
48 ~~preserve the life or health of the pregnant person or~~  
49 ~~of the fetus.~~

50 4. A person who unintentionally terminates a human

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1 pregnancy by any of the means provided pursuant to  
2 section 707.6A, subsection 1, is guilty of a class "C"  
3 felony.

4 3- 5. A person who by force or intimidation  
5 procures the consent of the pregnant person to a  
6 termination of a human pregnancy is guilty of a class  
7 "C" felony.

8 6. A person who unintentionally terminates a human  
9 pregnancy while drag racing in violation of section  
10 321.278 is guilty of a class "D" felony.

11 7. A person who unintentionally terminates a human  
12 pregnancy without the knowledge and voluntary consent  
13 of the pregnant person by the commission of an act in  
14 a manner likely to cause the termination of or serious  
15 injury to a human pregnancy is guilty of an aggravated  
16 misdemeanor.

17 8. A person commits an aggravated misdemeanor when  
18 the person intentionally causes serious injury to a  
19 human pregnancy by the commission of an act in a  
20 manner likely to cause the termination of or serious  
21 injury to a human pregnancy.

22 9. A person commits an aggravated misdemeanor when  
23 the person unintentionally causes serious injury to a  
24 human pregnancy by any of the means described in  
25 section 707.6A, subsection 1.

26 10. A person commits a serious misdemeanor when  
27 the person unintentionally causes serious injury to a  
28 human pregnancy by the commission of an act in a  
29 manner likely to cause the termination of or serious  
30 injury to the human pregnancy.

31 11. For the purposes of this section "serious  
32 injury to a human pregnancy" means, relative to the  
33 human pregnancy, disabling mental illness, or bodily  
34 injury which creates a substantial risk of death or  
35 which causes serious permanent disfigurement, or  
36 protracted loss or impairment of the function of any  
37 bodily member or organ, and includes but is not  
38 limited to skull fractures, rib fractures, and  
39 metaphyseal fractures of the long bones.

40 12. As used in this section, actions which cause  
41 the termination of or serious injury to a pregnancy do  
42 not apply to any of the following:

43 a. An act or omission of the pregnant person.

44 b. A termination of or a serious injury to a  
45 pregnancy which is caused by the performance of an  
46 approved medical procedure performed by a person  
47 licensed in this state to practice medicine and  
48 surgery or osteopathic medicine and surgery,  
49 irrespective of the duration of the pregnancy and with  
50 or without the voluntary consent of the pregnant

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1 person when circumstances preclude the pregnant person  
2 from providing consent.

3 c. An act committed in self-defense or in defense  
4 of another person or any other act committed if  
5 legally justified or excused."

By COMMITTEE ON JUDICIARY  
HURLEY of Fayette, Chairperson

H-5073 FILED FEBRUARY 14, 1996

adopted  
2-19-96  
(P. 357)

-2/20/96 diary  
5-3/13/96 Do Pass

HOUSE FILE 2109

BY HARRISON, BOGCESS, BRADLEY,  
BRANSTAD, BRAUNS, BRUNKHORST,  
CARROLL, COON, DAGGETT,  
DISNEY, DODERER, DRAKE, EDDIE,  
ERTL, GIPP, GREINER, GRUBBS,  
HAMMITT BARRY, HANSON, HEATON,  
HURLEY, HUSEMAN, KLEMME,  
KREMER, LAMBERTI, LARSON,  
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MYERS, RANTS, RENKEN, SALTON,  
SCHULTE, SUKUP, TEIG, THOMSON,  
TYRRELL, VAN FOSSEN, VANDE HOEF,  
VAN MAANEN, VEENSTRA, WITT,  
OLLIE, HALVORSON, WELTER, MUNDIE,  
BLODGETT, FALLON, GARMAN, LARKIN,  
and MILLAGE

(As Amended and Passed by the House, February 19, 1996)

Passed House, Date <sup>(p. 357)</sup> 2/19/96 Passed Senate, Date 4/2/96 (p. 1175)  
Vote: Ayes 96 Nays 0 Vote: Ayes 48 Nays 0  
Approved April 9, 1996

**A BILL FOR**

1 An Act relating to nonconsensual termination of or serious injury  
2 to a pregnancy and providing penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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ALL NEW LANGUAGE BY THE HOUSE

1 Section 1. Section 707.7, unnumbered paragraphs 1, 2, and  
2 4, Code 1995, are amended to read as follows:

3 Any person who intentionally terminates a human pregnancy,  
4 with the knowledge and voluntary consent of the pregnant  
5 person, after the end of the second trimester of the pregnancy  
6 where death of the fetus results commits feticide. Feticide  
7 is a class "C" felony.

8 Any person who attempts to intentionally terminate a human  
9 pregnancy, with the knowledge and voluntary consent of the  
10 pregnant person, after the end of the second trimester of the  
11 pregnancy where death of the fetus does not result commits  
12 attempted feticide. Attempted feticide is a class "D" felony.

13 Any person who terminates a human pregnancy, with the  
14 knowledge and voluntary consent of the pregnant person, who is  
15 not a person licensed to practice medicine and surgery under  
16 the provisions of chapter 148, or an osteopathic physician and  
17 surgeon licensed to practice osteopathic medicine and surgery  
18 under the provisions of chapter 150A, commits a class "C"  
19 felony.

20 Sec. 2. Section 707.8, Code 1995, is amended to read as  
21 follows:

22 707.8 NONCONSENSUAL TERMINATION -- SERIOUS INJURY TO A  
23 HUMAN PREGNANCY.

24 1. A person who terminates a human pregnancy without the  
25 consent of the pregnant person during the commission of a  
26 forcible felony is guilty of a class "B" felony.

27 ~~1:~~ 2. A person who terminates a human pregnancy without  
28 the consent of the pregnant person during the commission of a  
29 felony or felonious assault is guilty of a class "B" "C"  
30 felony.

31 2: 3. A person who intentionally terminates a human  
32 pregnancy without the knowledge and voluntary consent of the  
33 pregnant person is guilty of a class "C" felony. ~~This~~  
34 ~~subsection shall not apply to a termination performed without~~  
35 ~~the consent or knowledge of the pregnant person by a physician~~

1 licensed-in-this-state-to-practice-medicine-and-surgery-when  
2 circumstances-preclude-the-pregnant-person-from-providing  
3 consent-and-the-termination-is-performed-to-preserve-the-life  
4 or-health-of-the-pregnant-person-or-of-the-fetus.

5 4. A person who unintentionally terminates a human  
6 pregnancy by any of the means provided pursuant to section  
7 707.6A, subsection 1, is guilty of a class "C" felony.

8 3. 5. A person who by force or intimidation procures the  
9 consent of the pregnant person to a termination of a human  
10 pregnancy is guilty of a class "C" felony.

11 6. A person who unintentionally terminates a human  
12 pregnancy while drag racing in violation of section 321.278 is  
13 guilty of a class "D" felony.

14 7. A person who unintentionally terminates a human  
15 pregnancy without the knowledge and voluntary consent of the  
16 pregnant person by the commission of an act in a manner likely  
17 to cause the termination of or serious injury to a human  
18 pregnancy is guilty of an aggravated misdemeanor.

19 8. A person commits an aggravated misdemeanor when the  
20 person intentionally causes serious injury to a human  
21 pregnancy by the commission of an act in a manner likely to  
22 cause the termination of or serious injury to a human  
23 pregnancy.

24 9. A person commits an aggravated misdemeanor when the  
25 person unintentionally causes serious injury to a human  
26 pregnancy by any of the means described in section 707.6A,  
27 subsection 1.

28 10. A person commits a serious misdemeanor when the person  
29 unintentionally causes serious injury to a human pregnancy by  
30 the commission of an act in a manner likely to cause the  
31 termination of or serious injury to the human pregnancy.

32 11. For the purposes of this section "serious injury to a  
33 human pregnancy" means, relative to the human pregnancy,  
34 disabling mental illness, or bodily injury which creates a  
35 substantial risk of death or which causes serious permanent

1 disfigurement, or protracted loss or impairment of the  
2 function of any bodily member or organ, and includes but is  
3 not limited to skull fractures, rib fractures, and metaphyseal  
4 fractures of the long bones.

5 12. As used in this section, actions which cause the  
6 termination of or serious injury to a pregnancy do not apply  
7 to any of the following:

8 a. An act or omission of the pregnant person.

9 b. A termination of or a serious injury to a pregnancy  
10 which is caused by the performance of an approved medical  
11 procedure performed by a person licensed in this state to  
12 practice medicine and surgery or osteopathic medicine and  
13 surgery, irrespective of the duration of the pregnancy and  
14 with or without the voluntary consent of the pregnant person  
15 when circumstances preclude the pregnant person from providing  
16 consent.

17 c. An act committed in self-defense or in defense of  
18 another person or any other act committed if legally justified  
19 or excused.

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HOUSE FILE 2109

AN ACT

RELATING TO NONCONSENSUAL TERMINATION OF OR SERIOUS INJURY TO  
A PREGNANCY AND PROVIDING PENALTIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 707.7, unnumbered paragraphs 1, 2, and 4, Code 1995, are amended to read as follows:

Any person who intentionally terminates a human pregnancy, with the knowledge and voluntary consent of the pregnant person, after the end of the second trimester of the pregnancy where death of the fetus results commits feticide. Feticide is a class "C" felony.

Any person who attempts to intentionally terminate a human pregnancy, with the knowledge and voluntary consent of the pregnant person, after the end of the second trimester of the pregnancy where death of the fetus does not result commits attempted feticide. Attempted feticide is a class "D" felony.

Any person who terminates a human pregnancy, with the knowledge and voluntary consent of the pregnant person, who is not a person licensed to practice medicine and surgery under the provisions of chapter 148, or an osteopathic physician and surgeon licensed to practice osteopathic medicine and surgery under the provisions of chapter 150A, commits a class "C" felony.

Sec. 2. Section 707.8, Code 1995, is amended to read as follows:

707.8 NONCONSENSUAL TERMINATION -- SERIOUS INJURY TO A HUMAN PREGNANCY.

1. A person who terminates a human pregnancy without the consent of the pregnant person during the commission of a forcible felony is guilty of a class "B" felony.

1- 2. A person who terminates a human pregnancy without the consent of the pregnant person during the commission of a felony or felonious assault is guilty of a class "B" "C" felony.

2- 3. A person who intentionally terminates a human pregnancy without the knowledge and voluntary consent of the pregnant person is guilty of a class "C" felony. ~~This subsection shall not apply to a termination performed without the consent or knowledge of the pregnant person by a physician licensed in this state to practice medicine and surgery when circumstances preclude the pregnant person from providing consent and the termination is performed to preserve the life or health of the pregnant person or of the fetus.~~

4. A person who unintentionally terminates a human pregnancy by any of the means provided pursuant to section 707.6A, subsection 1, is guilty of a class "C" felony.

3- 5. A person who by force or intimidation procures the consent of the pregnant person to a termination of a human pregnancy is guilty of a class "C" felony.

6. A person who unintentionally terminates a human pregnancy while drag racing in violation of section 321.278 is guilty of a class "D" felony.

7. A person who unintentionally terminates a human pregnancy without the knowledge and voluntary consent of the pregnant person by the commission of an act in a manner likely to cause the termination of or serious injury to a human pregnancy is guilty of an aggravated misdemeanor.

8. A person commits an aggravated misdemeanor when the person intentionally causes serious injury to a human pregnancy by the commission of an act in a manner likely to cause the termination of or serious injury to a human pregnancy.

9. A person commits an aggravated misdemeanor when the person unintentionally causes serious injury to a human pregnancy by any of the means described in section 707.6A, subsection 1.

10. A person commits a serious misdemeanor when the person unintentionally causes serious injury to a human pregnancy by the commission of an act in a manner likely to cause the termination of or serious injury to the human pregnancy.

11. For the purposes of this section "serious injury to a human pregnancy" means, relative to the human pregnancy, disabling mental illness, or bodily injury which creates a substantial risk of death or which causes serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ, and includes but is not limited to skull fractures, rib fractures, and metaphyseal fractures of the long bones.

12. As used in this section, actions which cause the termination of or serious injury to a pregnancy do not apply to any of the following:

a. An act or omission of the pregnant person.

b. A termination of or a serious injury to a pregnancy which is caused by the performance of an approved medical procedure performed by a person licensed in this state to practice medicine and surgery or osteopathic medicine and surgery, irrespective of the duration of the pregnancy and

with or without the voluntary consent of the pregnant person when circumstances preclude the pregnant person from providing consent.

c. An act committed in self-defense or in defense of another person or any other act committed if legally justified or excused.

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RON J. CORBETT  
Speaker of the House

---

LEONARD L. BOSWELL  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2109, Seventy-sixth General Assembly.

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ELIZABETH ISAACSON  
Chief Clerk of the House

Approved April 9, 1996

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TERRY E. BRANSTAD  
Governor