

2/1/96 Judiciary

FILED FEB 1 1996

SENATE FILE 2115

BY DELUHERY

(COMPANION TO HF 2099 BY  
OLLIE)

Passed Senate, Date \_\_\_\_\_

Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

A BILL FOR

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

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

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S.F. 2115

1 Section 1. Section 707.8, Code 1995, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 4. A person who unintentionally  
4 terminates a human pregnancy without the consent of the  
5 pregnant person by knowingly or recklessly committing an act  
6 which would be a criminal offense if the death of or serious  
7 injury to the pregnant person had occurred, is guilty of a  
8 class "D" felony.

9 Sec. 2. NEW SECTION. 707.8A SERIOUS PRENATAL INJURY.

10 1. A person who intentionally causes serious prenatal  
11 injury is guilty of an aggravated misdemeanor.

12 2. A person who unintentionally causes serious prenatal  
13 injury is guilty of a serious misdemeanor.

14 3. For the purposes of this section, "serious prenatal  
15 injury" means serious injury as defined in section 702.18 to a  
16 product of human conception at any time or stage of  
17 development from conception until birth.

18 4. This section does not apply if the person committing  
19 the serious prenatal injury and the pregnant person are  
20 voluntary participants in a sport, social, or other  
21 noncriminal activity which results in the serious prenatal  
22 injury.

23 EXPLANATION

24 This bill establishes a class "D" felony for the  
25 unintentional termination of a human pregnancy without the  
26 consent of the pregnant person if the perpetrator knowingly or  
27 recklessly commits an act which would be a crime if the death  
28 of or serious injury to the pregnant person had occurred.

29 The bill also establishes the crime of serious prenatal  
30 injury. A person who intentionally causes serious prenatal  
31 injury is guilty of an aggravated misdemeanor and a person who  
32 unintentionally causes prenatal injury is guilty of a serious  
33 misdemeanor. The bill defines "serious prenatal injury" and  
34 provides that serious prenatal injury does not apply if the  
35 person committing the act and the pregnant person are

1 voluntarily participating in a sport, social, or other  
2 noncriminal activity which results in the serious prenatal  
3 injury.

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