

**House Study Bill 598 - Introduced**

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE  
ON JUDICIARY BILL BY  
CHAIRPERSON BALTIMORE)

**A BILL FOR**

1 An Act relating to the definition of person for the purposes of  
2 survival of causes of action.

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

1 Section 1. Section 611.20, Code 2014, is amended to read as  
2 follows:

3 **611.20 Actions survive.**

4 1. All causes of action shall survive and may be brought  
5 notwithstanding the death of the person entitled or liable to  
6 the same.

7 2. For the purposes of this section, "*person*" includes an  
8 unborn child who has reached viability as defined in section  
9 702.20.

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EXPLANATION

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The inclusion of this explanation does not constitute agreement with

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the explanation's substance by the members of the general assembly.

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This bill relates to the survival of a civil cause of  
14 action and provides that for the purposes of a cause of action  
15 surviving, notwithstanding the death of the person entitled  
16 or liable, "*person*" includes an unborn child who has reached  
17 viability. "Viability" is defined in Code section 702.20 as  
18 that stage of fetal development when the life of the unborn  
19 child may be continued indefinitely outside the womb by natural  
20 or artificial life support systems. The time when viability is  
21 achieved may vary with each pregnancy, and the determination of  
22 whether a particular fetus is viable is a matter of responsible  
23 medical judgment.