

Senate File 2055 - Introduced

SENATE FILE 2055

BY CHELGREN, BERTRAND,
SINCLAIR, FEENSTRA,
ZAUN, SEGEBART, BEHN, and
ANDERSON

A BILL FOR

1 An Act relating to terminations of pregnancy by establishing
2 limitations on abortions relative to the size of the
3 fetus and modifying the criminal offenses of feticide and
4 attempted feticide.

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

1 Section 1. NEW SECTION. 146A.2 Limitation on abortion —
2 size of fetus.

3 1. Except in the case of a medical emergency, as defined in
4 section 135L.1, for any woman, a physician shall not perform
5 an abortion if the fetus has reached a weight of three hundred
6 fifty grams or more.

7 2. A person who performs an abortion in violation of this
8 section is guilty of a class "C" felony.

9 Sec. 2. Section 707.7, subsections 1 and 2, Code 2016, are
10 amended to read as follows:

11 1. Any person who intentionally terminates a human
12 pregnancy, with the knowledge and voluntary consent of the
13 pregnant person, after the end of the second trimester of the
14 pregnancy or when the fetus has reached a weight of three
15 hundred fifty grams or more, where death of the fetus results,
16 commits feticide. Feticide is a class "C" felony.

17 2. Any person who attempts to intentionally terminate a
18 human pregnancy, with the knowledge and voluntary consent of
19 the pregnant person, after the end of the second trimester of
20 the pregnancy or when the fetus has reached a weight of three
21 hundred fifty grams or more, where death of the fetus does not
22 result, commits attempted feticide. Attempted feticide is a
23 class "D" felony.

24 EXPLANATION

25 The inclusion of this explanation does not constitute agreement with
26 the explanation's substance by the members of the general assembly.

27 This bill prohibits a physician from performing an abortion,
28 except in the case of a medical emergency, if the fetus has
29 reached a weight of 350 grams or more. A person who performs an
30 abortion in violation of the prohibition is guilty of a class
31 "C" felony.

32 The bill also amends the feticide statute to include
33 intentional terminations of a pregnancy when the fetus has
34 reached a weight of 350 grams or more. Where death of the
35 fetus results, a person commits feticide which is a class "C"

1 felony, and where death of the fetus does not result, the
2 person commits attempted feticide which is a class "D" felony.
3 Currently, a person can only commit feticide or attempted
4 feticide after the second trimester of the pregnancy.

5 A class "C" felony is punishable by confinement for no more
6 than 10 years and a fine of at least \$1,000 but not more than
7 \$10,000. A class "D" felony is punishable by confinement for
8 no more than five years and a fine of at least \$750 but not more
9 than \$7,500.