

Senate File 2140 - Introduced

SENATE FILE 2140

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A BILL FOR

1 An Act prohibiting certain actions regarding fetal body parts
2 and providing penalties.

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

1 Section 1. NEW SECTION. 146B.1 Fetal body parts — actions
2 prohibited — penalties.

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

7 2. Subsection 1 shall not apply to any of the following:

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

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

15 3. A person who violates this section is guilty of a class
16 "C" felony.

17 4. For the purposes of this section:

18 a. "Abortion" means as defined in section 146.1.

19 b. "Fetal body part" means a cell, tissue, organ, or other
20 part of a fetus that is terminated by an abortion.

21 c. "Final disposition" means the disposition of fetal
22 body parts by burial, interment, entombment, cremation, or
23 incineration.

24 d. "Valuable consideration" means any payment including but
25 not limited to payment associated with the transportation,
26 processing, preservation, quality control, or storage of fetal
27 body parts.

28 EXPLANATION

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

31 This bill prohibits a person from knowingly acquiring,
32 providing, receiving, otherwise transferring, or using a fetal
33 body part in this state, regardless of whether the acquisition,
34 provision, receipt, transfer, or use is for valuable
35 consideration. However, the prohibition does not apply to

1 diagnostic or remedial tests, procedures, or observations
2 which have the sole purpose of determining the life or health
3 of the fetus in order to provide that information to the
4 pregnant woman or to preserve the life or health of the fetus
5 or pregnant woman or to the actions of a person taken in the
6 furtherance of the final disposition of a fetal body part.

7 A person who violates the bill is guilty of a class "C"
8 felony. A class "C" felony is punishable by confinement for no
9 more than 10 years and a fine of at least \$1,000 but not more
10 than \$10,000.