

House File 235 - Introduced

HOUSE FILE 235

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A BILL FOR

1 An Act relating to the restrictions on distribution of certain
2 public funds for abortion.

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

1 Section 1. NEW SECTION. 146B.1 Abortions — restrictions —
2 public funds.

3 1. For the purposes of this chapter:

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

5 b. "Health care facility" means as defined in section
6 135C.1.

7 c. "Public funds" means state, county, or local government
8 moneys authorized or appropriated pursuant to state law or
9 derived from any fund in which such moneys are deposited.
10 "Public funds" does not include federal moneys received by the
11 state under Title X of the federal Public Health Service Act
12 as specified in 42 U.S.C. §300 et seq. for family planning
13 services; the personal responsibility education program
14 as specified in 42 U.S.C. §713; the separate program for
15 abstinence education as specified in 42 U.S.C. §710; or through
16 the temporary assistance for needy families program for the
17 community adolescent pregnancy prevention program.

18 2. Notwithstanding any other provision of law to the
19 contrary, public funds shall not be expended for the purpose
20 of providing abortions.

21 3. Notwithstanding any other provision of law to the
22 contrary, health care services furnished by or in a health
23 care facility owned or operated by the state or a county or
24 local government entity or by a physician or other individual
25 employed by the state or a county or local government entity
26 to provide health care services within the scope of practice
27 and employment of the individual shall not include provision
28 of abortions.

29 4. Notwithstanding any other provision of law to the
30 contrary, any amount paid by an individual or an entity during
31 a taxable year for an abortion or as premiums for health care
32 coverage that includes coverage for abortions is not tax
33 deductible under chapter 422.

34 5. This chapter shall not be construed to apply to any of
35 the following:

1 a. The treatment of any infection, injury, disease,
2 or disorder that has been caused by or exacerbated by the
3 performance of an abortion, whether the abortion was performed
4 in accordance with state and federal law or whether funding for
5 the abortion is permissible under this section.

6 b. An abortion when the woman suffers from a physical
7 disorder, physical injury, or physical illness that would, as
8 certified by a physician, place the woman in danger of death
9 unless an abortion is performed, including a life-endangering
10 physical condition caused by or arising from the pregnancy
11 itself.

12 c. The treatment of a woman for a spontaneous abortion,
13 commonly known as a miscarriage.

14 EXPLANATION

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

17 This bill creates a new Code chapter 146B, providing
18 restrictions on the expenditure of public funds for abortions
19 notwithstanding any other provisions of law to the contrary.

20 The bill defines "abortion", "health care facility", and
21 "public funds" for the purposes of the new Code chapter.

22 Public funds are prohibited from being expended for the
23 purpose of providing abortions.

24 The new Code chapter prohibits health care services
25 furnished by or in a health care facility owned or operated
26 by the state or a county or local government entity or by a
27 physician or other individual employed by the state or a county
28 or local government entity to provide health care services
29 within the scope of practice and employment of the individual
30 from including the provision of abortions.

31 Any amount paid by an individual or an entity during a
32 taxable year for an abortion or as premiums for health care
33 coverage that includes coverage for abortions is not tax
34 deductible under Code chapter 422.

35 The new Code chapter is not to be construed to apply to

1 the treatment of any infection, injury, disease, or disorder
2 that has been caused by or exacerbated by the performance of
3 an abortion, whether the abortion was performed in accordance
4 with state and federal law or whether funding for the abortion
5 is permissible under the Code chapter; an abortion when the
6 woman suffers from a physical disorder, physical injury, or
7 physical illness that would, as certified by a physician, place
8 the woman in danger of death unless an abortion is performed,
9 including a life-endangering physical condition caused by or
10 arising from the pregnancy itself; or the treatment of a woman
11 for a miscarriage.