

**Senate File 523 - Introduced**

SENATE FILE 523  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1170)

**A BILL FOR**

1 An Act relating to the nonconsensual termination of and serious  
2 injury to a human pregnancy, and providing penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 707.8, subsections 1 and 2, Code 2019,  
2 are amended by striking the subsections and inserting in lieu  
3 thereof the following:

4 1. A person who knew or reasonably should have known that a  
5 person was pregnant is guilty of a class "A" felony under any  
6 of the following circumstances:

7 a. The person intended to cause the death of or serious  
8 bodily injury to the pregnant person or to terminate or cause  
9 serious injury to the human pregnancy, and without the pregnant  
10 person's consent, terminates the human pregnancy.

11 b. The person knew or reasonably should have known that the  
12 person's actions would cause the death of or serious bodily  
13 injury to the pregnant person or would terminate or cause  
14 serious injury to the human pregnancy, and without the pregnant  
15 person's consent, terminates the human pregnancy.

16 2. A person who knew or reasonably should have known that  
17 a person was pregnant is guilty of a class "A" felony if  
18 the person, without specific intent to cause the death of or  
19 serious bodily injury to the pregnant person or to terminate  
20 or cause serious injury to the human pregnancy, terminates the  
21 human pregnancy without the pregnant person's consent, during  
22 the commission of a felony.

23 Sec. 2. Section 707.8, subsections 3 and 4, Code 2019, are  
24 amended to read as follows:

25 3. A person who intentionally terminates a human pregnancy  
26 without the knowledge and voluntary consent of the pregnant  
27 person is guilty of a class "C" "B" felony.

28 4. A person who unintentionally terminates a human  
29 pregnancy by any of the means provided pursuant to section  
30 707.6A, subsection 1, is guilty of a class "C" "B" felony.

31 EXPLANATION

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

34 This bill relates to nonconsensual termination of and  
35 serious injury to a human pregnancy.

1 The bill strikes current provisions relating to the  
2 termination of a human pregnancy without the consent of the  
3 pregnant person during the commission of a forcible felony or  
4 during the commission of a felony or felonious assault. The  
5 bill instead provides that a person who knew or reasonably  
6 should have known that a person was pregnant is guilty of a  
7 class "A" felony if either (1) the person intended to cause the  
8 death of or serious bodily injury to the pregnant person or to  
9 terminate or cause serious injury to the human pregnancy, and  
10 without the pregnant person's consent, terminates the human  
11 pregnancy, or (2) the person knew or reasonably should have  
12 known the person's actions would cause the death of or serious  
13 bodily injury to the pregnant person or would terminate or  
14 cause serious injury to the human pregnancy, and without the  
15 pregnant person's consent, terminates the human pregnancy.  
16 Additionally, the bill provides that a person who knew or  
17 reasonably should have known that a person was pregnant is  
18 guilty of a class "A" felony if the person, without specific  
19 intent to cause the death of or serious bodily injury to the  
20 pregnant person or to terminate or cause serious injury to the  
21 human pregnancy, terminates the human pregnancy, without the  
22 pregnant person's consent, during the commission of a felony.

23 The bill also increases the penalty for a person who  
24 unintentionally terminates a human pregnancy by any of  
25 the means provided pursuant to Code section 707.6A(1),  
26 (unintentionally causing the death of another by operating  
27 a motor vehicle while intoxicated) and for a person who  
28 intentionally terminates a human pregnancy without the  
29 voluntary and informed consent of the pregnant person from a  
30 class "C" felony to a class "B" felony.