

House File 2518 - Introduced

HOUSE FILE 2518
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 2230)

A BILL FOR

1 An Act relating to the survival of, and the bringing of a cause
2 of action for, wrongful death of an unborn child.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 611.20, Code 2024, 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~~ cause of action.

7 2. For the purposes of the survival of, and the bringing
8 of a cause of action for, wrongful death of an unborn child
9 under subsection 1, "person" includes the unborn child. For the
10 purposes of this subsection, "unborn child" means the same as
11 defined in section 146A.1.

12 EXPLANATION

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

15 This bill relates to the survival of, and the bringing of a
16 cause of action for, the wrongful death of an unborn child.

17 Code section 611.20 (actions survive) provides that
18 all causes of action shall survive and may be brought
19 notwithstanding the death of the person entitled or liable
20 to the cause of action. The bill amends the Code section to
21 provide that specifically for the purposes of the survival of,
22 and the bringing of a cause of action for, wrongful death of
23 an unborn child, "person" includes the unborn child. The bill
24 defines "unborn child" as an individual organism of the species
25 homo sapiens from fertilization to live birth.