

House File 106 - Introduced

HOUSE FILE 106

BY GUSTOFF, HERMANSON, THOMPSON,
DUNWELL, FETT, GEHLBACH,
HENDERSON, STONE, HOLT,
GOLDING, BODEN, C. JOHNSON,
DIEKEN, and CISNEROS

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:

unofficial

1 Section 1. Section 611.20, Code 2025, 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 the
6 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 all causes
18 of action shall survive and may be brought notwithstanding the
19 death of the person entitled or liable to the cause of action.
20 The bill amends the Code section to provide that specifically
21 for the purposes of the survival of, and the bringing of a
22 cause of action for, wrongful death of an unborn child, "person"
23 includes the unborn child. The bill defines "unborn child"
24 as an individual organism of the species homo sapiens from
25 fertilization to live birth.