



2011 SENATE BILL 172

August 25, 2011 – Introduced by Senators GROTHMAN, GALLOWAY, LAZICH, LEIBHAM, MOULTON, WANGGAARD, ZIPPERER and KEDZIE, cosponsored by Representatives JACQUE, CRAIG, AUGUST, BERNIER, BIES, BROOKS, ENDSLEY, FARROW, J. FITZGERALD, HONADEL, KAPENGA, KERKMAN, KESTELL, KLEEFISCH, KLENKE, KNILANS, KNODL, KNUDSON, KOOYENGA, KRAMER, KRUG, KUGLITSCH, T. LARSON, LEMAHIEU, LITJENS, MARKLEIN, MURTHA, NASS, NYGREN, A. OTT, PETERSEN, PETROWSKI, PETRYK, PRIDEMORE, RIPP, RIVARD, SEVERSON, SPANBAUER, STEINEKE, STRACHOTA, STROEBEL, SUDER, TAUCHEN, THIESFELDT, TIFFANY, TRANEL, VAN ROY, VOS, WYNN, ZIEGELBAUER, KAUFERT and WEININGER. Referred to Committee on Judiciary, Utilities, Commerce, and Government Operations.

1 **AN ACT** *to renumber and amend* 146.345 (1) (a); *to amend* 146.345 (title); and
2 *to create* 146.345 (1) (ag) and 146.345 (2m) of the statutes; **relating to:** sale
3 and use of fetal body parts and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from knowingly, and for valuable consideration, acquiring, receiving, or otherwise transferring a human organ. Current federal law prohibits a person from knowingly acquiring, receiving, or otherwise transferring, in interstate commerce, any fetal tissue for valuable consideration. This bill prohibits a person from knowingly and for valuable consideration acquiring, receiving, or otherwise transferring a fetal body part in this state. A fetal body part is a cell, tissue, organ, or other part of an unborn child who is aborted by an induced abortion. The bill also prohibits a person from knowingly providing, receiving, or using, for experimentation a fetal body part in this state, regardless of whether the provision, receipt, or use is for valuable consideration.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

