

.....
(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. _____

To prohibit fetal remains in publicly owned water systems, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BANKS introduced the following bill; which was referred to the Committee on _____

A BILL

To prohibit fetal remains in publicly owned water systems, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Respectful Treatment
5 of Unborn Remains Act of 2022”.

1 **SEC. 2. PROHIBITION OF FETAL REMAINS IN PUBLICLY**
2 **OWNED WATER SYSTEMS.**

3 Part H of title IV of the Public Health Service Act
4 (42 U.S.C. 289 et seq.) is amended by adding at the end
5 the following:

6 **“SEC. 498F. PROHIBITION OF FETAL REMAINS IN PUBLICLY**
7 **OWNED WATER SYSTEMS.**

8 “(a) IN GENERAL.—An abortion provider may not
9 cause fetal remains to be placed into a publicly owned
10 water system.

11 “(b) PENALTIES FOR VIOLATION.—An abortion pro-
12 vider who violates subsection (a) shall be fined in accord-
13 ance with title 18, United States Code, imprisoned not
14 more than 5 years, or both.

15 “(c) NO LIABILITY FOR INDIVIDUAL UPON WHOM
16 ABORTION IS PERFORMED.—Notwithstanding any other
17 provision of law, an individual upon whom an abortion is
18 performed shall not be liable for any offense related to
19 a violation of subsection (a) with respect to such abortion.

20 “(d) RELATION TO OTHER LAW.—Nothing in this
21 section may be construed to preempt a State or local re-
22 quirement that prohibits an abortion provider from caus-
23 ing fetal remains to be placed into a publicly owned water
24 system.

25 “(e) DEFINITIONS.—In this section:

1 “(1) ABORTION.—The term ‘abortion’ means a
2 procedure involving the use or prescription of a de-
3 vice or substance—

4 “(A) to intentionally kill the unborn child
5 of an individual known to be pregnant; or

6 “(B) to intentionally terminate the preg-
7 nancy of such an individual, unless such termi-
8 nation is conducted with the intent to—

9 “(i) produce a live birth and preserve
10 the life and health of such child; or

11 “(ii) remove a dead unborn child from
12 the body of such an individual.

13 “(2) ABORTION PROVIDER.—

14 “(A) IN GENERAL.—The term ‘abortion
15 provider’ means an individual who performs an
16 abortion.

17 “(B) EXCLUSION.—The term ‘abortion
18 provider’ does not include, with respect to an
19 abortion, the individual upon whom the abor-
20 tion is performed.

21 “(3) FETAL REMAINS.—The term ‘fetal re-
22 mains’ means—

23 “(A) the remains of an aborted fetus (or a
24 portion thereof); and

1 “(B) any other medical waste associated
2 with an abortion.

3 “(4) PUBLICLY OWNED WATER SYSTEM.—The
4 term ‘publicly owned water system’ means a system
5 of facilities owned or controlled by a Federal, State,
6 or local government entity, the purpose of which is
7 to provide, transport, or treat water, including the
8 drains, pipes, and other devices that connect to such
9 system.”.