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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

(Original Signature of Member)
SEC. 2. PROHIBITION OF FETAL REMAINS IN PUBLICLY OWNED WATER SYSTEMS.

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

"SEC. 498F. PROHIBITION OF FETAL REMAINS IN PUBLICLY OWNED WATER SYSTEMS.

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

(b) PENALTIES FOR VIOLATION.—An abortion provider who violates subsection (a) shall be fined in accordance with title 18, United States Code, imprisoned not more than 5 years, or both.

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

(d) RELATION TO OTHER LAW.—Nothing in this section may be construed to preempt a State or local requirement that prohibits an abortion provider from causing fetal remains to be placed into a publicly owned water system.

(e) DEFINITIONS.—In this section:
"(1) ABORTION.—The term ‘abortion’ means a procedure involving the use or prescription of a device or substance—

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

"(B) to intentionally terminate the pregnancy of such an individual, unless such termination is conducted with the intent to—

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

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

"(2) ABORTION PROVIDER.—

"(A) IN GENERAL.—The term ‘abortion provider’ means an individual who performs an abortion.

"(B) EXCLUSION.—The term ‘abortion provider’ does not include, with respect to an abortion, the individual upon whom the abortion is performed.

"(3) FETAL REMAINS.—The term ‘fetal remains’ means—

"(A) the remains of an aborted fetus (or a portion thereof); and
“(B) any other medical waste associated with an abortion.

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