

114TH CONGRESS  
2D SESSION

# H. R. 4536

To amend title 18, United States Code, to prohibit the unlawful disposal of fetal remains, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2016

Mr. TIBERI (for himself, Mr. SMITH of New Jersey, Mr. JOHNSON of Ohio, Mr. JOYCE, Mr. TURNER, Mr. LATTA, Mr. GIBBS, Mr. RENACCI, Mr. JORDAN, Mr. STIVERS, Mr. WENSTRUP, and Mr. CHABOT) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to prohibit the unlawful disposal of fetal remains, 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 “Protecting the Dignity  
5 of Unborn Children Act of 2016”.

1 **SEC. 2. PROHIBITING UNLAWFUL DISPOSAL OF FETAL RE-**  
2 **MAINS.**

3 (a) PROHIBITING UNLAWFUL DISPOSAL OF FETAL  
4 REMAINS.—Part I of title 18, United States Code, is  
5 amended by adding at the end the following:

6 **“CHAPTER 125—UNLAWFUL DISPOSAL OF**  
7 **FETAL REMAINS**

“2741. Unlawful disposal of fetal remains.

8 **“§ 2741. Unlawful disposal of fetal remains**

9 “(a) IN GENERAL.—Whoever recklessly disposes of  
10 or abandons fetal remains in a landfill or in any of the  
11 navigable waters of the United States shall be imprisoned  
12 not more than 3 years or fined under this title, or both.

13 “(b) RULE OF CONSTRUCTION.—Nothing in this sec-  
14 tion shall be construed to authorize the prosecution of any  
15 woman for the disposal of the remains of her unborn child.

16 “(c) DEFINITIONS.—In this section:

17 “(1) FETAL REMAINS.—The term ‘fetal re-  
18 mains’ means any part of a human fetus that is de-  
19 ceased by reason of an abortion, but does not in-  
20 clude any such part that has been cremated.

21 “(2) LANDFILL.—The term ‘landfill’ means a  
22 sanitary landfill, as such term is defined in section  
23 1004(26) of the Solid Waste Disposal Act.

24 “(3) NAVIGABLE WATERS.—The term ‘navi-  
25 gable waters’ has the meaning given such term in

1 section 502(7) of the Federal Water Pollution Con-  
2 trol Act.”.

3 (b) CLERICAL AMENDMENT.—The table of chapters  
4 for such part is amended by inserting, after the item per-  
5 taining to chapter 123, the following:

“125. Unlawful disposal of fetal remains ..... 2741”.

