



Respecting the Unborn through Fetal Dignity Laws

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SUMMARY:

There is a pressing need to pass fetal dignity laws, which affirm the dignity of the unborn and add protections for women through stricter regulation of the abortion industry.

In 2010, the police raided the abortion clinic of Dr. Kermit Gosnell and discovered the remains of unborn babies in jars. In 2019, it was discovered that another abortionist, Dr. Ulrich Klopfer, had also been harboring the remains of thousands of unborn children.

- *States should ensure the respectful burial of unborn children killed in abortion.*
- *Women who have miscarriages should be able to receive death certificates that provide validation and dignity to the loss of their children.*

The 2015 videos from the Center for Medical Progress (CMP) uncovered an industry of trafficking aborted baby body parts to sell and use for research. Harvesting the body parts of aborted children for research subsidizes the abortion industry and incentivizes harmful practices such as late-term abortion, altering abortion methods for the sake of preserving the remains for sale, violating patient privacy, and even likely killing some children born alive in order to harvest their organs, as the CMP videos uncovered.

- *States should prohibit the sale and trafficking of baby body parts.*

What are Fetal Dignity Laws?

There are currently various fetal dignity laws in place in some states that seek to affirm the dignity of the unborn and acknowledge each life lost through abortion. This state legislation concerning fetal dignity includes:

- Requiring abortion suppliers to bury or cremate unborn children after an abortion.
- Informed consent for the mother to choose between burial or cremation for the baby.
- Prohibiting the transfer and research of fetal remains.
- Prohibiting the sale of (or, in some cases, prohibiting the profiting from) baby body parts.
- Providing death certificates for miscarried babies.

Why are Fetal Dignity Laws Needed?

Fetal dignity laws are needed for many reasons. The discovery of aborted fetal remains being sold and held in jars has provided additional insight into how human life is further disregarded by the abortion industry. It is crucial to start affirming the humanity of the unborn in the law. Fetal dignity laws help

shape a culture that honors and respects the unborn by acknowledging their humanity and affirming the dignity of each life lost through abortion. The instances below lay out specific findings that have led to the need for fetal dignity laws.

Center for Medical Progress Discoveries

In 2015, the Center for Medical Progress (CMP) released videos, filmed by investigative journalist David Daleiden, uncovering an industry of trafficking aborted baby body parts to sell and use for research. Daleiden went undercover to record abortionists, executives, and staff-level employees of the abortion industry discussing fetal tissue procurement from abortions in shocking detail. These videos and other acquired documents exposed the buyer-seller relationship between the abortion industry and fetal tissue procurement companies.

The House of Representatives in the 114th Congress responded to the CMP videos by establishing the Select Investigative Panel on Infant Lives in October 2015 to examine these grotesque practices. The Select Panel uncovered widespread unethical and illegal practices involving the trafficking of baby body parts from abortion businesses to sellers via fetal tissue procurement companies acting like middlemen. For example, Advanced Bioscience Resources (ABR) was investigated and appeared as a case study in the Select Panel's July 2016 interim update. The Panel found that ABR paid Planned Parenthood and other abortion facilities a flat fee of \$45 to \$60 per baby specimen. In 2015 alone, ABR made nearly \$80,000 in payments to its top five abortion facilities from which it procured baby body parts. In turn, ABR sold these parts to customers. In 2015 alone, ABR's revenue from the sale of baby body parts to its top six customers equaled \$191,984 including at least 80 baby brains, 36 pairs of eyes, eight hearts, 16 spinal cords, two intact skullcaps, two spinal columns, two skins, and other tissue.¹

CMP's investigations revealed from invoices that the process was similar to that of other biotech companies. The middlemen paid abortion facilities for collecting the baby body parts and then sold them to universities, pharmaceutical companies, research labs, and even the National Institutes of Health (NIH) and the Food and Drug Administration (FDA) for astronomical prices. For example, ABR charged customers \$340 to \$550 per fetal specimen procured. StemExpress sold human hearts of 18 to 24-week babies for \$595 each. DV Biologics sold half a baby liver for \$350 and a baby thymus for \$500.² The interim update also revealed a StemExpress purchase order selling limbs with hands and feet of a 17 to 18-week baby for \$890 each.³ StemExpress also sold "Fetal Liver CD133+ Stem/Progenitor Cells" for \$2,425 to \$24,250.⁴ The Department of Justice also launched and has an ongoing investigation of Planned Parenthood's practice of selling fetal tissue.⁵

The CMP videos further revealed that the abortion industry, including Planned Parenthood, incentivizes harmful practices such as late-term abortion, altering abortion methods, violating patient privacy, and even likely killing some children born alive in order to harvest their organs. The bills that prevent the harvesting and selling of the remains of unborn babies would address some of the concerns that incentivize the abortion industry when they can buy and sell fetal remains. These laws must be passed to help protect women from many of these actions, such as violations of patient privacy and altered abortion methods, which are done solely for Planned Parenthood's interest in increased business.

Dr. Kermit Gosnell

When the police raided Gosnell's abortion clinic in Philadelphia on February 18, 2010, they found, in addition to the horrifying conditions, the remains of 45 unborn children during the raid. Fetal remains were found in various containers, some refrigerated and others frozen, including in "bags, milk jugs,

orange juice cartons, and cat food containers.” Among the fetal remains were rows of jars containing severed feet of aborted children.⁶

Fetal remains laws would make it illegal for Gosnell to house unborn children in cat food containers or keep their feet in jars. Rather, the fetal remains laws would require the abortionist to bury the cremated remains of the unborn. The need for these fetal dignity laws is growing more pressing as stories emerge showing that Gosnell’s behavior is no longer an isolated incident.

Dr. Ulrich Klopfer

Dr. Klopfer was known as one of the largest abortion suppliers in Indiana, committing over 30,000 abortions. After his death his family discovered that he had been harboring unborn remains in his garage. In September 2019, the police reported that Klopfer had medically preserved 2,246 unborn children in plastic bags.⁷ A few weeks later in October, Klopfer’s family found additional remains of more unborn children in the trunk of his old car.⁸ Had Indiana’s fetal remains law been in place when Klopfer was performing abortions, he would have been legally required to surrender the remains for burial or cremation within ten business days. He also could have been charged with transporting a fetus out of Indiana (a Class A misdemeanor), as well as intentionally acquiring fetal tissue (a Level 5 felony).

Serena Dyksen, a woman who received an abortion by Klopfer, said, “[i]f he could have the babies all these years later, I have a right to know if she [her daughter] was one of them.”⁹ A woman should never have to wonder if her unborn child is being preserved in a jar on Klopfer or Gosnell’s shelf. “I feel like I have been violated all over again,” Dyksen said. “Now for the third time.”¹⁰

State-level fetal dignity laws would address the concerns that have resulted from discoveries of Planned Parenthood, Gosnell, Klopfer, and others. For instance, Indiana has a fetal remains law, but it was enacted subsequent to Klopfer’s misdeeds and would not apply to them (Indiana and Illinois authorities are looking into Klopfer’s activities more broadly). It is crucial that the dignity of the unborn is respected in society and protected in the law.

Planned Parenthood’s business of selling the remains of the unborn illustrates the highest disregard for the dignity of the life that was just lost. Planned Parenthood’s disregard for the unborn is rivaled only by Gosnell and Klopfer who kept the remains in jars and plastic bags. The laws reflect the moral understanding that the remains of unborn babies do not deserve to be sold or kept in jars. Fetal dignity laws provide the protection needed to achieve the goal of further respecting the unborn and recognizing their humanity.

Types of Fetal Dignity Laws

Fetal Remains Laws

Under these laws, abortion providers are required to dispose of the unborn remains through cremation or burial. Fetal remains laws prevent the baby body parts from being treated as medical waste or housed in jars as trophies. These laws honor and respect the dignity of the life lost through abortion. Fetal remains laws need to be passed so that women, such as Serena Dyksen, do not have to fear that their child is in a jar on the abortionist’s shelf.

A number of states have passed fetal remains laws that provide various protections for the remains of the unborn: Alabama,¹¹ Arkansas,¹² Florida,¹³ Georgia,¹⁴ Indiana,¹⁵ Iowa,¹⁶ Louisiana,¹⁷ Michigan,¹⁸ Minnesota (if recognizable human remains),¹⁹ New Mexico (if the baby is over 500 grams),²⁰ North

Dakota,²¹ Oklahoma,²² Tennessee,²³ and Texas.²⁴ Indiana's fetal remains law was the subject of a recent court challenge in *Box v. Planned Parenthood*.²⁵ The case went all the way up to the Supreme Court, which held that the state had a legitimate interest in the proper disposal of fetal remains and that the requirements were rationally related to that legitimate interest, a principle that the Court also articulated in *City of Akron v. Akron Ctr. for Reprod. Health*.²⁶ Had Indiana's fetal remains law been passed earlier, it would have prevented people like Ulrich Klopfer from storing the bodies of babies in ways which violate their human dignity.

Responding to the Klopfer situation at the federal level, Senator Mike Braun (R-Ind.) introduced the *Dignity for Aborted Children Act* (S. 2590). This bill would require the abortionist to cremate or bury each unborn child of an abortion affecting interstate commerce within seven days of the abortion. The bill also requires informed consent of the mother to choose burial or cremation after the abortion (a type of fetal dignity law discussed below), and a requirement that each abortion supplier report the abortions.²⁷

Informed Consent for Burial or Cremation

Informed consent laws require that abortion providers inform the mother of the choice between burial or cremation, ensuring that women know their options and agree to burial or cremation before or after the abortion. These laws encourage abortion providers and mothers seeking abortions to think of the unborn child as a person worthy of a dignified resting place, instead of mere medical waste. The informed consent requirement is often in a fetal remains law.

States that have passed informed consent laws include Indiana²⁸ and Tennessee.²⁹

Fetal Tissue Research Bans

These laws prevent research from occurring on babies who have been aborted, such as research at a university or in a lab. Transferring unborn remains to a university or lab for research is unnecessary and antiquated. Research using human fetal tissue has been replaced by modern, successful alternatives that exist using organs produced in vitro from ethically-sourced cells, induced pluripotent stem cells, and adult stem cells.³⁰

The investigation of the Select Panel found that fetal tissue does not provide many health benefits, but rather has contributed to the mistreatment of unborn remains and has created additional dangers in the abortion industry.³¹ As the Panel's Final Report indicated, there have been no successful clinical results from human fetal tissue research:

"Human fetal tissue research is an outdated and unproductive area of research that does not make a strong impact on the field. In over 100 years of unrestricted investigation, human fetal tissue research has had ample time to prove useful, yet it has failed to do so:

- Fetal tissue HAS NOT produced a single medical treatment.
- Fetal tissue WAS NOT used to cure polio, mumps, and measles.
- Fetal tissue IS NOT used for modern vaccine production or research.
- Fetal tissue IS NOT critical to study Zika or other diseases affecting brain development.
- Fetal tissue IS NOT required for the overwhelming majority of current research.
- Fetal tissue research is LESS PRODUCTIVE and has LOWER IMPACT when compared to non-fetal tissue research."³²

The findings indicate that research involving fetal tissue does not provide any significant contributions to medical advancement; instead, it furthers the mistreatment of women and unborn children during and after the abortion procedure. Thus, fetal tissue research bans should be put in place to help establish a code of ethics and to provide additional protections for women and respect the dignity of the unborn after abortion.

There are eight states that ban all fetal tissue research from induced abortion³³: Alabama,³⁴ Arizona,³⁵ Arkansas,³⁶ Florida,³⁷ Illinois,³⁸ Indiana, Kansas,³⁹ Ohio, Oklahoma, and South Dakota.⁴⁰ Five of these states ban all fetal tissue research from any source: Alabama, Indiana, North Dakota, Ohio, Oklahoma, and South Dakota.⁴¹

Prohibiting the Sale of or Profit from Baby Body Parts

Laws that prohibit the sale of baby body parts are important in acknowledging the dignity of the unborn. As we saw from the Center for Medical Progress investigation, there is money to be made from selling baby body parts, and while selling human body parts is illegal at the federal level, there is a large loophole for fetal tissue sales that must be closed.

The *NIH Revitalization Act of 1993* (42 USC 289g-2) prohibits the sale of human fetal tissue if the tissue is sold for “valuable consideration” and “affects interstate commerce,” that is, if the fetal tissue is sold for profit. The statute states that “[t]he term ‘valuable consideration’ does not include reasonable payments associated with the transportation, implantation, processing, preservation, quality control, or storage of human fetal tissue.”⁴² Any profit that is made after costs are subtracted from payment is in violation of this statute, and yet the abortion industry has used and abused this “valuable consideration” loophole to traffic the body parts of aborted babies and to make a profit as described above. Prohibiting the sale of baby body parts would prevent the abortion industry from abusing the “valuable consideration” loophole.

There are 20 states that prohibit the purchase or sale of human fetal tissue for research: Alabama,⁴³ Arizona,⁴⁴ Arkansas,⁴⁵ California,⁴⁶ Colorado,⁴⁷ Florida,⁴⁸ Idaho,⁴⁹ Illinois,⁵⁰ Indiana,⁵¹ Kansas,⁵² Louisiana,⁵³ Michigan,⁵⁴ Nevada,⁵⁵ North Carolina (only tissue from aborted babies),⁵⁶ Ohio,⁵⁷ Oklahoma,⁵⁸ Tennessee,⁵⁹ Texas,⁶⁰ South Dakota,⁶¹ and Wyoming.⁶²

Providing for Death Certificates for Stillborn and Miscarried Babies

These laws allow women to be comforted and affirmed in the loss of their baby. Many states have passed bills which allow birth (as well as death) certificates for women who lost their children from stillbirths. Joanne Cacciatore – whose daughter, Cheyenne, was stillborn 13 years ago – started the movement allowing for parents to receive birth certificates for parents whose children were stillborn: “It’s dignity and validation, it’s the same reason why we want things like marriage licenses and baptismal certificates.”⁶³ While most states require the reporting of a fetal death, especially if the unborn child is 20 weeks or older, below is the breakdown of states which provide death (and birth) certificates for children who die in the womb.

A number of states issue birth certificates for stillborn babies: Alaska, Arizona, Arkansas, California, Florida, Georgia, Indiana, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, North Dakota, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, and Wisconsin.⁶⁴

Other states issue death certificates for stillborn babies that developed to 20 weeks gestation: Colorado, Delaware, Idaho, Illinois, Kansas (if over 350 grams), Kentucky, Michigan, Ohio, Oregon, and Pennsylvania,⁶⁵ Iowa, Kentucky, Maine, Maryland, Mississippi, Montana, Nebraska, New Jersey, North Carolina, North Dakota, Rhode Island, Texas, West Virginia, and Wyoming.⁶⁶

These states issue death certificates regardless of gestational age: Alaska (parental choice), Colorado, Hawaii, New York, Virginia, and Washington.⁶⁷

Conclusion

Fetal dignity laws like those previously discussed are a powerful way to affirm the dignity and humanity of the unborn. Discovering the remains of unborn babies in jars and hearing conversations about selling baby parts shocked the conscience of many Americans and serves as a stark reminder of the dignity of the unborn. The remains of these children should not be sold as a commodity or placed in jars – they should be treated with respect. There is a growing realization that stronger protections must be put in place to assist grieving women and to protect the dignity of these infants. Fetal dignity laws allow us to move one step closer toward honoring these babies, who deserve to have their short lives treated with dignity and respect.

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¹ “Final Report - Select Investigative Panel of the Energy & Commerce Committee,” December 30, 2016, <https://www.priestsforlife.org/babybodyparts/16-12-Select-Investigative-Panel-Final.pdf>.

² “Document Vault,” Center for Medical Progress, accessed September 27, 2019, <http://www.centerformedicalprogress.org/human-capital/document-vault/>.

³ “Interim Update To the U. S. House of Representatives,” 41.

⁴ “Fetal Liver – CD133+ Stem/Progenitor Cells,” StemExpress, accessed September 27, 2019, <http://www.centerformedicalprogress.org/archive/stemexpress/07-16-2015/shop/fetal-liver-cd133-stemprogenitor-cells-2/index.html>.

⁵ Brooke Singman and Jake Gibson, “Planned Parenthood under investigation by Justice Department over sale of fetal tissue,” Fox News, December 7, 2017, accessed October 2, 2019, <https://www.foxnews.com/politics/planned-parenthood-under-investigation-by-justice-department-over-sale-of-fetal-tissue>.

⁶ Alyssa Grasinski, “The Gosnell Story: America Deserves to Know,” Family Research Council, October 26, 2018, accessed September 27, 2019, <https://www.frcblog.com/2018/10/gosnell-story-america-deserves-know/>.

⁷ Mary Margaret Olohan, “Over 2,000 Fetal Remains Found on Abortion Doctor’s Property, Sheriff’s Office Says,” *The Daily Signal*, September 15, 2019, accessed September 27, 2019, <https://www.dailysignal.com/2019/09/15/over-2000-fetal-remains-found-on-late-abortion-doctors-property-sheriffs-office-says/>.

⁸ Melissa Barnhart, “165 aborted babies found in trunk of Ulrich Klopfer’s Mercedes Benz,” *The Christian Post*, October 10, 2019, accessed October 14, 2019, <https://www.christianpost.com/news/aborted-babies-remains-found-ulrich-klopfers-mercedes-benz.html>.

⁹ Brian Francisco, “Probe sought into ex-abortion doctor,” *The Journal Gazette*, September 17, 2019, accessed October 8, 2019, <https://www.journalgazette.net/news/local/20190917/probe-sought-into-ex-abortion-doctor>.

¹⁰ Lincoln Wright, “Calls for ‘thorough investigation’ after fetal remains found in ex-South Bend abortion doctor’s home,” *South Bend Tribune*, September 18, 2019, accessed October 8, 2019, https://www.southbendtribune.com/news/local/calls-for-thorough-investigation-after-fetal-remains-found-in-ex/article_50773f11-2428-5cb0-ba5a-f2fd1b7d8643.html.

¹¹ HB 45, Alabama Legislature, 2016, accessed September 30, 2019, <http://alisondb.legislature.state.al.us/alison/searchableinstruments/2016rs/bills/HB45.htm>.

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- ¹² “House Bill 1566,” Arkansas State Legislature, 2017, <http://www.arkleg.state.ar.us/assembly/2017/2017R/Bills/HB1566.pdf>.
- ¹³ FL Rule: 59A-9.030, 2017, accessed September 25, 2019, <https://www.flrules.org/gateway/ruleno.asp?id=59A-9.030>.
- ¹⁴ “GA Code § 16-12-141.1 (2016),” Justia, accessed September 25, 2019, <https://law.justia.com/codes/georgia/2016/title-16/chapter-12/article-5/section-16-12-141.1/>.
- ¹⁵ “House Bill 1337,” Indiana General Assembly - 2016 Session, accessed September 25, 2019, <http://iga.in.gov/legislative/2016/bills/house/1337#document-51b52d50>.
- ¹⁶ Chapter 1132, Iowa General Assembly, 2018, <https://www.legis.iowa.gov/docs/publications/iactc/87.2/CH1132.pdf>.
- ¹⁷ “House Bill No. 815 – Act No. 593,” Louisiana State Legislature, 2016, accessed September 25, 2019, <https://www.legis.la.gov/legis/ViewDocument.aspx?d=1013090>.
- ¹⁸ “Section 333.2836 – Act 368 of 1978,” Michigan Legislature, 2015, accessed September 30, 2019, [http://www.legislature.mi.gov/\(S\(fjwrjbyzk4ouvsjvw4555qs5\)\)/mileg.aspx?page=getObject&objectName=mcl-333-2836](http://www.legislature.mi.gov/(S(fjwrjbyzk4ouvsjvw4555qs5))/mileg.aspx?page=getObject&objectName=mcl-333-2836).
- ¹⁹ Section 145.1621, Minnesota Legislature, 1987, accessed September 25, 2019, <https://www.revisor.mn.gov/statutes/cite/145.1621>.
- ²⁰ “New Mexico Solid Waste Rules,” NM.gov, https://www.env.nm.gov/swb/documents/Solid_Waste_Rules_Regulations.pdf.
- ²¹ Chapter 33-03-02, North Dakota, 1988, <https://www.legis.nd.gov/information/acdata/pdf/33-03-02.pdf>.
- ²² Okla. Stat. tit. 63, § 1-301(10), accessed September 30, 2019, <https://casetext.com/statute/oklahoma-statutes/title-63-public-health-and-safety/63-1-301-definitions>.
- ²³ “House Bill 2577,” Tennessee General Assembly, 2016, accessed September 25, 2019, <https://docs.google.com/viewerng/viewer?url=http://www.capitol.tn.gov/Bills/109/Bill/SB2568.pdf>.
- ²⁴ “S.B. No. 8,” Texas Legislature, 2017, <https://s3.amazonaws.com/state-bill-text/TXD00199804.pdf>.
- ²⁵ *Box v. Planned Parenthood of Indiana and Kentucky, Inc.*, 587 U. S. (2019), https://www.supremecourt.gov/opinions/18pdf/18-483_3d9g.pdf.
- ²⁶ *Akron v. Akron Center for Reproductive Health, Inc.*, 462 U.S. 416 (1983), https://www.law.cornell.edu/supremecourt/text/462/416#writing-USSC_CR_0462_0416_ZO.
- ²⁷ *Dignity for Aborted Children Act*, United States Senate, September 2019, accessed September 30, 2019, <https://www.congress.gov/bill/116th-congress/senate-bill/2590/text>.
- ²⁸ “House Bill 1337,” Indiana General Assembly - 2016 Session, accessed September 25, 2019, <http://iga.in.gov/legislative/2016/bills/house/1337#document-51b52d50>.
- ²⁹ “House Bill 2577,” Tennessee General Assembly, 2016, <https://docs.google.com/viewerng/viewer?url=http://www.capitol.tn.gov/Bills/109/Bill/SB2568.pdf>.
- ³⁰ “Final Report - Select Investigative Panel of the Energy & Commerce Committee,” December 30, 2016, 399-400.
- ³¹ Ibid.
- ³² Ibid.
- ³³ “Embryonic and Fetal Research Laws - Table 2,” National Conference of State Legislatures, January 1, 2016, accessed September 26, 2019, <http://www.ncsl.org/research/health/embryonic-and-fetal-research-laws.aspx>.
- ³⁴ HB 45, Alabama State Legislature, 2016, accessed October 8, 2019, <https://legiscan.com/AL/text/HB45/2016>.
- ³⁵ “Arizona Senate passes 2 bills targeting abortion, Planned Parenthood,” Associated Press, February 24, 2016, accessed September 25, 2019, <http://www.azcentral.com/story/news/arizona/politics/2016/02/24/arizona-senate-passes-2-bills-targeting-abortion-planned-parenthood/80880042/>. See also bill summary: <https://www.azpolicy.org/wp-content/uploads/2016/06/CAP-Memorandum-08-19-15.pdf>.
- ³⁶ AR HB 1566, Arkansas State Legislature, 2019, <http://www.arkleg.state.ar.us/assembly/2019/2019R/Bills/HB1566.pdf>.
- ³⁷ HB 1411, Florida Legislature, 2016, <https://www.flsenate.gov/Session/Bill/2016/1411/BillText/er/PDF>.
- ³⁸ “Public Act 095-0519 - Section 45. Purchase or sale prohibited,” Illinois General Assembly, accessed September 26, 2019, <http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=095-0519>.
- ³⁹ “2016 Statute - Section 6, Article 67a: Fetal Organs and Tissue,” Kansas 2017-2018 Legislative Sessions, accessed September 26, 2019, http://www.kslegislature.org/li/b2017_18/statute///065_000_0000_chapter/065_067a_0000_article/065_067a_0006_section/065_067a_0006_k/.

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- ⁴⁰ Information (unless more recently updated) has been sourced from: “Embryonic and Fetal Research Laws - Table 2,” National Conference of State Legislatures.
- ⁴¹ Heather D. Boonstra, “Fetal Tissue Research: A Weapon and a Casualty in the War Against Abortion,” *Guttmacher Policy Review*, February 9, 2016, accessed September 26, 2019, <https://www.guttmacher.org/gpr/2016/fetal-tissue-research-weapon-and-casualty-war-against-abortion>.
- ⁴² 498B of the Public Health Service Act (42 U.S.C 289g-2), National Institutes of Health, accessed October 14, 2019, <https://grants.nih.gov/grants/guide/notice-files/not93-235.html>.
- ⁴³ “HB45,” Alabama State Legislature, accessed September 26, 2019, <http://alisondb.legislature.state.al.us/alison/searchableinstruments/2016rs/bills/HB45.htm>.
- ⁴⁴ “Arizona Senate passes 2 bills targeting abortion, Planned Parenthood,” Associated Press. See also bill summary: <https://www.azpolicy.org/wp-content/uploads/2016/06/CAP-Memorandum-08-19-15.pdf>.
- ⁴⁵ “HB 1566,” Arkansas State Legislature, 2017, <http://www.arkleg.state.ar.us/assembly/2017/2017R/Bills/HB1566.pdf>.
- ⁴⁶ “California Code of Regulations - § 100080. Acceptable Research Materials,” Thomson Reuters Westlaw, accessed September 25, 2019, [https://govt.westlaw.com/calregs/Document/IDD6AFD10288311E3AAEBB861974507BD?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Document/IDD6AFD10288311E3AAEBB861974507BD?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)).
- ⁴⁷ “Colorado Revised Statutes Title 25 Health § 25-2-115 Transfer of fetal tissue from induced termination of pregnancy-legislative declaration,” FindLaw, accessed September 26, 2019, <https://codes.findlaw.com/co/title-25-health/co-rev-st-sect-25-2-111-5.html>.
- ⁴⁸ “The 2016 Florida Statutes: Title XLVI - Sale of Anatomical Matter,” Online Sunshine, accessed September 27, 2019, http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0800-0899/0873/0873.html.
- ⁴⁹ “Senate Bill No. 1404,” Legislature of the State of Idaho, <https://legislature.idaho.gov/wp-content/uploads/sessioninfo/2016/legislation/S1404.pdf>.
- ⁵⁰ “Public Act 095-0519,” Illinois General Assembly, accessed September 26, 2019, <http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=095-0519>.
- ⁵¹ “House Bill 1337,” Indiana General Assembly, 2016, accessed September 26, 2019, <https://iga.in.gov/legislative/2016/bills/house/1337#digest-heading>.
- ⁵² “2012 Statute - Article 67a. - Fetal Organs and Tissue,” Kansas Legislature, accessed September 26, 2019, http://kslegislature.org/li_2012/b2011_12/statute/065_000_0000_chapter/065_067a_0000_article/065_067a_0004_section/065_067a_0004_k/.
- ⁵³ Jennifer Larino, “Abortion Law in Louisiana: See existing and proposed laws,” *The Times-Picayune*, May 10, 2017, accessed September 26, 2019, http://www.nola.com/politics/index.ssf/2017/05/abortion_louisiana_proposed_la.html; “Senate Bill No. 128,” Louisiana Legislature, 2017, accessed October 8, 2019, <https://www.legis.la.gov/legis/ViewDocument.aspx?d=1035580>.
- ⁵⁴ “Act No. 386 - Enrolled Senate Bill No. 564,” Michigan State Legislature, December 28, 2016, <http://www.legislature.mi.gov/documents/2015-2016/publicact/pdf/2016-PA-0386.pdf>.
- ⁵⁵ J. Kyle Kinner, “Research Involving Human Fetal Tissue: Legal Survey and Analysis,” Georgetown University, April 12, 1999, <https://bioethicsarchive.georgetown.edu/nbac/briefings/apr99/fetal4.pdf>. Nevada adopted 1987 UAGA regulations – see footnote 59 in Georgetown document. Nevada defines “human” as a fetus.
- ⁵⁶ “House Bill 297,” General Assembly of North Carolina, 2015, <http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H297v2.pdf>. North Carolina prohibits the profit, sale, and transfer of fetal tissue from induced abortions but not necessarily from spontaneous abortions or stillbirth babies.
- ⁵⁷ Ohio Revised Code 2919.14, Ohio Legislature, 1974, accessed September 26, 2019, <http://codes.ohio.gov/orc/2919.14>.
- ⁵⁸ 63 § 1-735, Oklahoma, 1978, https://www.ok.gov/health2/documents/HCI_ITOP_OkAbortionStatutes03012012.pdf.
- ⁵⁹ “SB 2568 - Bill Summary,” Tennessee General Assembly, accessed September 26, 2019, <http://wapp.capitol.tn.gov/apps/BillInfo/Default.aspx?BillNumber=SB2568&GA=109>.
- ⁶⁰ “S.B. No. 8 - Section 48.03: Prohibition on Purchase and Sale of Human Fetal Tissue,” Texas State Legislature,

accessed September 26, 2019,

<http://www.capitol.state.tx.us/tlodocs/85R/billtext/pdf/SB00008F.pdf#navpanes=0>.

⁶¹ “Code 34-23A-17,” South Dakota Legislature - Legislative Research Council, accessed September 26, 2019,

http://sdlegislature.gov/Statutes/Codified_Laws/DisplayStatute.aspx?Type=Statute&Statute=34-23A-17.

⁶² “Legislative Tracker - Wyoming Bill Regarding Fetal Tissue Experimentation (HB 116),” Rewire, July 11, 2017,

accessed September 26, 2019, [https://rewire.news/legislative-tracker/law/wyoming-bill-re-fetal-tissue-research-](https://rewire.news/legislative-tracker/law/wyoming-bill-re-fetal-tissue-research-definition-viability-hb-116/)

[definition-viability-hb-116/](https://rewire.news/legislative-tracker/law/wyoming-bill-re-fetal-tissue-research-definition-viability-hb-116/); Dave Andrusko, “Wyoming Gov. Matt Mead signs two pro-life bills into law,”

National Right to Life, March 10, 2017, accessed September 26, 2019,

<https://www.nationalrighttolifenews.org/2017/03/wyoming-gov-matt-mead-signs-two-pro-life-bills-into-law/>.

⁶³ Tamar Lewin, “A Move for Birth Certificates for Stillborn Babies,” *The New York Times*, May 22, 2007, accessed

September 27, 2019, <https://www.nytimes.com/2007/05/22/us/22stillbirth.html>.

⁶⁴ “7 FAM 1470 DOCUMENTING STILLBIRTH (FETAL DEATH),” Foreign Affairs Manual – U.S Department of

State, accessed October 8, 2019, <https://fam.state.gov/FAM/07FAM/07FAM1470.html>.

⁶⁵ Ibid.

⁶⁶ “State Definitions and Reporting Requirements For Live Births, Fetal Deaths, and Induced Terminations of

Pregnancy,” Centers for Disease Control and Prevention, 1997, <https://www.cdc.gov/nchs/data/misc/itop97.pdf>.

⁶⁷ Ibid.