

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 149

Representatives Patmon, Conditt

Cosponsors: Representatives Antani, Becker, Brinkman, Dean, Ginter, Goodman, Hambley, Henne, Hill, Hood, Huffman, Keller, Koehler, LaTourette, McColley, Riedel, Roegner, Romanchuk, Slaby, Smith, R., Thompson, Faber, Sprague

A BILL

To amend sections 2108.18 and 2919.14 of the 1
Revised Code to expand the crime of abortion 2
trafficking and to increase the penalty. 3

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 2108.18 and 2919.14 of the 4
Revised Code be amended to read as follows: 5

Sec. 2108.18. (A) Except as otherwise provided in division 6
(B) of this section, no person shall, for valuable 7
consideration, knowingly purchase or sell a part for 8
transplantation or therapy if removal of a part from an 9
individual is intended to occur after the individual's death. 10

(B) A person may charge a reasonable amount for the 11
removal, processing, preservation, quality control, storage, 12
transportation, implantation, or disposal of a part, except as 13
provided in section 2919.14 of the Revised Code. 14

Sec. 2919.14. (A) As used in this section: 15

(1) "Abortionist" means a person who performs or induces 16

an abortion. 17

(2) "Ambulatory surgical facility" has the same meaning as 18
in section 3702.30 of the Revised Code. 19

(3) "Person associated with the abortionist" means either 20
of the following: 21

(a) An individual who assists the abortionist in 22
performing the abortion, regardless of whether the individual is 23
employed by the abortionist; 24

(b) A private physician practice, professional 25
corporation, or ambulatory surgical facility to which either of 26
the following apply: 27

(i) The practice, corporation, or facility is owned or 28
operated by the abortionist and the abortion is performed there. 29

(ii) The practice, corporation, or facility employs or 30
contracts with the abortionist to perform the abortion. 31

(4) "Physician" has the same meaning as in section 32
2305.113 of the Revised Code. 33

(5) "Product of human conception" includes organs, 34
tissues, and cells. 35

(B) (1) No person shall experiment upon or sell the product 36
of human conception ~~which~~ that is aborted. Experiment does not 37
include autopsies pursuant to sections 313.13 and 2108.50 of the 38
Revised Code. 39

(2) No abortionist or person associated with the 40
abortionist shall financially benefit from or receive any type 41
of compensation for either of the following: 42

(a) Allowing a person who was not involved in the 43

performance of the abortion to have access to the product of 44
human conception that is aborted for the purpose of the person 45
taking possession and control of that product of human 46
conception; 47

(b) Transferring possession and control of the product of 48
human conception that is aborted to a person who was not 49
involved in the performance of the abortion. 50

~~(B)~~ (C) Whoever knowingly violates this section is guilty 51
of abortion trafficking, a misdemeanor-felony of the first-third 52
degree. 53

Section 2. That existing sections 2108.18 and 2919.14 of 54
the Revised Code are hereby repealed. 55