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**H. B. 2198**

(By Delegate Shaver)  
[Introduced January 12, 2011; referred to the  
Committee on Health and Human Resources then the  
Judiciary.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-19-3b, relating to prohibiting the use of the body of an unborn fetus for medical experimentation or scientific investigation except as necessary to diagnose a disease or condition suspected to exist in the mother's or fetus's body; and prescribing criminal penalties for violation of the section.

*Be it enacted by the Legislature of West Virginia:*

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §16-19-3b, to read as follows:

**ARTICLE 19. ANATOMICAL GIFT ACT.**

**§16-19-3b. Prohibition against using bodies of fetuses for certain purposes.**

1       The body of an unborn fetus may not be used for medical  
2 experimentation or scientific investigation except as necessary to  
3 diagnose a disease or condition suspected to exist in the body of  
4 the mother or the fetus. A person who violates the provisions of  
5 this section is guilty of a misdemeanor and, upon conviction, shall  
6 be fined not less than \$1,000 nor more than \$5,000 or confined in  
7 jail not more than six months or both fined and confined.

NOTE: The purpose of this bill is to prohibit the use of the body of an unborn fetus for medical experimentation or scientific investigation except as necessary to diagnose a disease or condition suspected to exist in the mother's or fetus's body. The bill also prescribes criminal penalties for violation of the section.

This section is new; therefore, it has been completely underscored.