

# House Bill 3060

Sponsored by Representatives RESCHKE, NEARMAN; Representatives BONHAM, BOSHART DAVIS, FINDLEY, POST, SMITH G, ZIKA, Senators BAERTSCHIGER JR, BOQUIST, GIROD, KNOPP, LINTHICUM, THATCHER

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits person from soliciting or knowingly acquiring, receiving, transporting, implanting, processing, preserving, storing or accepting donation of human fetal tissue for purpose of transplanting the human fetal tissue into another person or animal under specified circumstances.

Punishes by maximum of five years' imprisonment, \$125,000 fine, or both.

Establishes Teen Pregnancy Assistance Fund and requires prosecuting attorney to deposit proceeds of fines for violation of Act into fund. Continuously appropriates moneys in fund to Department of Education for sole purpose of providing financial assistance to girls who are enrolled in high school in this state, have had child while enrolled in high school and need financial aid for expenses connected with obtaining high school diploma.

## A BILL FOR AN ACT

1  
2 Relating to transfers of human fetal tissue.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Human fetal tissue" means tissue, cells or organs obtained from a dead human**  
6 **embryo or fetus after a spontaneous abortion or after a stillbirth.**

7 (b)(A) **"Valuable consideration" means money or anything of value ordinarily used in ex-**  
8 **change.**

9 (B) **"Valuable consideration" does not include reasonable payments associated with**  
10 **transporting, implanting, processing, preserving or storing human fetal tissue.**

11 (2) **A person may not solicit or knowingly acquire, receive, transport, implant, process,**  
12 **preserve, store or accept a donation of human fetal tissue for the purpose of transplanting**  
13 **the human fetal tissue into another person or animal in either of the following circum-**  
14 **stances:**

15 (a) **The human fetal tissue will be or is obtained pursuant to an induced abortion and the**  
16 **person that solicits, acquires, receives, transports, implants, processes, preserves, stores or**  
17 **accepts the donation of human fetal tissue promises the donor of the human fetal tissue that**  
18 **the human fetal tissue will be implanted into a recipient specified or unspecified by the in-**  
19 **dividual; or**

20 (b) **The person provides the donor with valuable consideration for the costs of the in-**  
21 **duced or spontaneous abortion that resulted in the human fetal tissue becoming available for**  
22 **transplantation.**

23 (3) **A person that solicits, acquires, receives, transports, implants, processes, preserves,**  
24 **stores or accepts the donation of human fetal tissue in violation of subsection (2) of this**  
25 **section commits a Class C felony.**

26 (4) **A person that receives valuable consideration as the result of a violation of subsection**  
27 **(2) of this section is liable for a civil penalty in an amount that is, at a minimum, double the**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 amount of the valuable consideration the person received. A prosecuting attorney may bring  
2 an action against the person in a court of this state to recover the civil penalty. The prose-  
3 cuting attorney shall deposit the proceeds of the civil penalty with the State Treasury to the  
4 credit of the Teen Pregnancy Assistance Fund.

5 **SECTION 2.** (1) The Teen Pregnancy Assistance Fund is established in the State Treas-  
6 ury, separate and distinct from the General Fund. Interest earned by the Teen Pregnancy  
7 Assistance Fund shall be credited to the fund.

8 (2) Moneys in the fund are continuously appropriated to the Department of Education for  
9 the sole purpose of providing financial assistance to girls who:

- 10 (a) Are enrolled in a high school in this state;  
11 (b) Have had a child while enrolled in high school; and  
12 (c) Need financial aid for expenses connected with obtaining a high school diploma.  
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