

119TH CONGRESS
1ST SESSION

S. 2172

To prohibit fetal remains in publicly owned water systems, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 25 (legislative day, JUNE 24), 2025

Mr. BANKS introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To prohibit fetal remains in publicly owned water systems,
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 “Respectful Treatment
5 of Unborn Remains Act of 2025”.

6 **SEC. 2. PROHIBITION OF FETAL REMAINS IN PUBLICLY**
7 **OWNED WATER SYSTEMS.**

8 Part H of title IV of the Public Health Service Act
9 (42 U.S.C. 289 et seq.) is amended by adding at the end
10 the following:

1 **“SEC. 498F. PROHIBITION OF FETAL REMAINS IN PUBLICLY**
 2 **OWNED WATER SYSTEMS.**

3 “(a) IN GENERAL.—An abortion provider may not
 4 cause fetal remains to be placed into a publicly owned
 5 water system.

6 “(b) PENALTIES FOR VIOLATION.—An abortion pro-
 7 vider who violates subsection (a) shall be fined in accord-
 8 ance with title 18, United States Code, imprisoned not
 9 more than 5 years, or both.

10 “(c) NO LIABILITY FOR INDIVIDUAL UPON WHOM
 11 ABORTION IS PERFORMED.—Notwithstanding any other
 12 provision of law, an individual upon whom an abortion is
 13 performed shall not be liable for any offense related to
 14 a violation of subsection (a) with respect to such abortion.

15 “(d) RELATION TO OTHER LAW.—Nothing in this
 16 section may be construed to preempt a State or local re-
 17 quirement that prohibits an abortion provider from caus-
 18 ing fetal remains to be placed into a publicly owned water
 19 system.

20 “(e) DEFINITIONS.—In this section:

21 “(1) ABORTION.—The term ‘abortion’ means a
 22 procedure involving the use or prescription of a de-
 23 vice or substance—

24 “(A) to intentionally kill the unborn child
 25 of an individual known to be pregnant; or

1 “(B) to intentionally terminate the preg-
 2 nancy of such an individual, unless such termi-
 3 nation is conducted with the intent to—

4 “(i) produce a live birth and preserve
 5 the life and health of such child; or

6 “(ii) remove a dead unborn child from
 7 the body of such an individual.

8 “(2) ABORTION PROVIDER.—

9 “(A) IN GENERAL.—The term ‘abortion
 10 provider’ means an individual who performs an
 11 abortion.

12 “(B) EXCLUSION.—The term ‘abortion
 13 provider’ does not include, with respect to an
 14 abortion, the individual upon whom the abor-
 15 tion is performed.

16 “(3) FETAL REMAINS.—The term ‘fetal re-
 17 mains’ means—

18 “(A) the remains of an aborted fetus (or a
 19 portion thereof); and

20 “(B) any other medical waste associated
 21 with an abortion.

22 “(4) PUBLICLY OWNED WATER SYSTEM.—The
 23 term ‘publicly owned water system’ means a system
 24 of facilities owned or controlled by a Federal, State,
 25 or local government entity, the purpose of which is

1 to provide, transport, or treat water, including the
2 drains, pipes, and other devices that connect to such
3 system.”.

