



Testimony for the House Health and Government Operations Committee

March 13, 2020

HB 1179 – Public Health – Unborn Human Beings and Infants (Humane Disposition of Human Remains Act)

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The ACLU of Maryland opposes HB 1179, which redefines a fetus as an “unborn human being,” and forces individuals receiving abortions or who suffered a miscarriage to dispose of fetal remains ritually through burial, internment, or cremation, as well as mandating other requirements.

HB 1179 is unnecessary. There is nothing that prevents a woman from having a ritual burial for a miscarriage. HB 1179 mandates that she does.

HB 1179 is redundant. Clinics are already currently regulated to handle embryonic or fetal tissue in accordance with state law, to ensure that it is safe and appropriate.

HB 1179 dangerous expands the definition of a human being. Creating new statutory definitions that redefine terms like “fetus” or “human being” are common but pernicious tactics used to undermine a woman’s constitutional right to abortion.

HB 1179 violates women’s privacy. A woman’s decision whether to continue or end a pregnancy is intensely personal and should be confidential between her, her doctor, and anyone else she chooses. Government intrusion into a woman’s most intimate health care decisions violates her privacy and trust.

HB 1179 imposes undue burdens. Under this bill, a woman will likely be responsible for potentially significant fees to carry out this legal requirement. Medical facilities will be required to find ways to carry out expensive burials and cremations as well as places to accept the material.

Legislation like HB 1179 frequently creates difficult, vague, conflicting, and sometimes impossible new regulations for clinics to comply with that are often intended to block women’s access to abortion.

For the foregoing reasons, we urge an unfavorable report on HB 1179.