

Bill No.: SF0096 **Effective:** 7/1/2021 12:00:00 AM

LSO No.: 21LSO-0396

Enrolled Act No.: SEA No. 0050

Chapter No.: 116

Prime Sponsor: Hutchings

Catch Title: **Homicide amendments.**

Subject: Murder of an unborn child.

Summary/Major Elements:

- This bill creates two (2) new crimes: murder in the first degree of an unborn child and murder in the second degree of an unborn child.
- The bill defines "unborn child" as a member of the species homo sapiens, at any state of development, who is carried in a womb.
- The crime of murder of an unborn child (in the first or second degree) requires that a person commit the crime of murder or attempted murder (in the first or second degree respectively) against the mother of the child, and that the unborn child dies as a result of the person's actions.
- Punishment for the crime of first or second degree murder of an unborn child is consistent with the penalty imposed for murder in the first or second degree.
- The bill amends the sentencing enhancement for second degree murder of a pregnant woman to clarify it is only applicable to the murder of the pregnant woman.

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