

March 30, 2009

H 890. UNBORN VICTIMS OF VIOLENCE ACT. Filed 3/30/2009. TO CREATE CRIMINAL OFFENSES FOR ACTS THAT CAUSE THE DEATH OR INJURY OF AN UNBORN CHILD OR ARE COMMITTED AGAINST A PREGNANT WOMAN. Adds new Article 6A to GS Chapter 14, GS 14-23.1 through GS 14-23.7, specifying crimes against an *unborn child*, defined as a human carried in the womb. Makes it murder to cause the death of an unborn child willfully and maliciously, through a reckless and wanton disregard for life, or while perpetrating or attempting acts defined as a Class A felony if a person is killed. Directs life imprisonment without parole as punishment. Makes it voluntary manslaughter to cause the death of an unborn child by an act that would be voluntary manslaughter against the mother if it resulted in the mother's death, punishable as a Class D felony. Makes it involuntary manslaughter to cause the death of an unborn child by an act that would be involuntary manslaughter against the mother if it resulted in the mother's death, punishable as a Class E felony. Makes it an assault on an unborn child punishable as a Class F felony to inflict "serious bodily harm" upon an unborn child who is later born alive by a battery of the child's mother. Defines *serious bodily harm*. Makes it an assault on an unborn child to commit an assault, assault and battery, or affray upon a pregnant woman, punishable as a Class H felony. Exempts abortions that are lawful under GS 14-45.1, customary diagnostic or therapeutic medical acts, and acts by a pregnant woman that result in miscarriage or stillbirth. Effective December 1, 2009.

Intro. by Hilton.

GS 14