

2004 SESSION

INTRODUCED

047505232

HOUSE BILL NO. 671

Offered January 14, 2004

Prefiled January 13, 2004

A BILL to amend the Code of Virginia by adding a section numbered 18.2-51.5, relating to death or bodily injury of child in utero; penalty.

Patron—Bell

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by a adding section numbered 18.2-51.5 as follows:

§ 18.2-51.5. Death or bodily injury of child in utero; penalty.

A. Any person, other than the mother of the child, who willfully, deliberately, and intentionally engages in unlawful conduct that causes the death of, or permanent, serious bodily injury to a child who is in utero at the time the conduct occurs is guilty of a Class 2 felony.

B. Any person, other than the mother of the child, who willfully and deliberately engages in unlawful conduct that causes the death of a child who is in utero at the time the conduct occurs is guilty of a Class 4 felony.

C. Any person, other than the mother of the child, who willfully and deliberately engages in unlawful conduct that causes permanent, serious bodily injury to a child who is in utero at the time the conduct occurs is guilty of a Class 4 felony.

D. A violation of this section shall constitute a separate and distinct felony.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities and cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

INTRODUCED

HB671