

2010 SESSION

INTRODUCED

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HOUSE BILL NO. 986

Offered January 13, 2010

Prefiled January 13, 2010

A BILL to amend and reenact § 18.2-71 of the Code of Virginia, relating to producing abortion or miscarriage; penalty.

Patron—Jones

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-71 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-71. Producing abortion or miscarriage, etc.; penalty.

Except as provided in other sections of this article, if any person ~~administer to, or cause, including~~ *the pregnant female, who administers or causes* to be taken by a ~~woman~~ *pregnant female*, any drug or other thing, or ~~use~~ *uses* means, with intent to destroy her unborn child, or to produce abortion or miscarriage, and thereby ~~destroy~~ *destroys* such child, or ~~produce~~ *produces* such abortion or miscarriage, ~~he shall be~~ *is* guilty of a Class 4 felony. *The provisions of this section shall not apply to any medically approved contraceptive, whether used before or after sexual intercourse.*

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; therefore, Chapter 781 of the Acts of Assembly of 2009 requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

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