

# 2010 SESSION

INTRODUCED

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## SENATE BILL NO. 602

Offered January 13, 2010

A *BILL to amend the Code of Virginia by adding a section numbered 18.2-32.3, relating to human infant; independent and separate existence.*

Patrons—Newman, Hurt, Colgan, Hanger, Martin, Obenshain, Puckett, Reynolds, Ruff, Smith, Stuart and Vogel; Delegates: Byron, Cline, Garrett and Putney

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 adding a section numbered 18.2-32.3 as follows:

*§ 18.2-32.3 Human infant; independent and separate existence.*

*For the purposes of this article and § 18.2-371.1, the determination of an independent and separate existence of a human infant from its mother shall not be conditioned solely upon whether or not the umbilical cord has been cut or the placenta detached.*

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 is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

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