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SENATE BILL NO. 602**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Joint Conference Committee

on March 13, 2010)

(Patron Prior to Substitute—Senator Newman)

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.*

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, the fact that the umbilical cord has not been cut or that the placenta remains attached shall not be considered in determining whether a human infant has achieved an independent and separate existence.

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 is _____ 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 _____ for periods of commitment to the custody of the Department of Juvenile Justice.