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## SENATE BILL NO. 495

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice  
on December 20, 1996)

(Patron Prior to Substitute—Senator Earley)

A BILL to amend and reenact § 18.2-51.2 of the Code of Virginia and to amend the Code of Virginia by adding section numbered 18.2-32.1, relating to murder of a pregnant woman and aggravated malicious wounding; penalty.

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-51.2 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding section numbered 18.2-32.1 as follows:

§ 18.2-32.1. Murder of a pregnant woman, aggravated malicious wounding of a pregnant woman: penalty.

The willful, deliberate and premeditated murder of a pregnant woman by one who knows that the woman is pregnant and has the intent to cause the involuntary termination of the woman's pregnancy without a live birth shall be punished by imprisonment for life or for any term not less than twenty-five years. If such murder is accomplished without premeditation, it shall be punished by a term of imprisonment not less than ten years nor more than forty years.

§ 18.2-51.2. Aggravated malicious wounding; penalty.

A. If any person maliciously shoots, stabs, cuts or wounds any other person, or by any means causes bodily injury, with the intent to maim, disfigure, disable or kill, he shall be guilty of a Class 2 felony if the victim is thereby severely injured and is caused to suffer permanent and significant physical impairment.

B. For purposes of this section, the involuntary termination of a woman's pregnancy shall be deemed a severe injury and a permanent and significant physical impairment.

2. That the provisions of this act may result in a net increase in periods of imprisonment in state correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0.

HOUSE SUBSTITUTE

SB495H1