

April 20, 2005

**H 1324. UNBORN VICTIMS OF VIOLENCE.** *TO PROVIDE THAT A PERSON WHO COMMITS THE CRIME OF MURDER OR MANSLAUGHTER OF A PREGNANT WOMAN IS GUILTY OF A SEPARATE OFFENSE FOR THE RESULTING DEATH OF THE UNBORN CHILD AND TO PROVIDE THAT A PERSON WHO COMMITS A FELONY OR A MISDEMEANOR THAT IS AN ACT OF DOMESTIC VIOLENCE AND INJURES A PREGNANT WOMAN THAT RESULTS IN A MISCARRIAGE OR STILLBIRTH BY THE WOMAN IS GUILTY OF A SEPARATE OFFENSE THAT IS PUNISHABLE AT THE SAME CLASS AND LEVEL AS THE UNDERLYING OFFENSE.* Amends GS 14-17 (murder), 14-18 (manslaughter), and 14-18.2 (injury to pregnant woman) as title indicates. Provides in these statutes that the offenses do not require proof that defendant knew or should have known that victim was pregnant or that defendant intended to cause the death of unborn child. Provides for exceptions in GS 14-17 and 14-18 for legal abortion and medical treatment. Effective December 1, 2005, and applicable to offenses committed on or after that date.

**Intro. by Walend, Folwell.**

Ref. to Judiciary II

GS 14