

February 2, 2009

S 26. INJURY TO PREGNANT WOMEN/ADDITIONAL OFFENSE. Filed 2/2/09. *TO AMEND THE STATE LAW THAT MAKES INJURY TO A PREGNANT WOMAN A ONE CLASSIFICATION HIGHER OFFENSE TO A SEPARATE OFFENSE, AND TO INCLUDE AS AN AGGRAVATING FACTOR IN FELONY CASES THAT THE VICTIM WAS PREGNANT.*

Amends GS 14-18.2 as title indicates. Provides that for the purpose of the statute, a felony causing injury to a pregnant woman includes felony offenses that result in the pregnant woman's death. Provides that if the underlying offense is a Class A or a Class B1 felony, the separate offense is a Class A felony and that a felony under this section shall not be used as the underlying felony for a felony murder charge. Amends GS 15A-1340.16(d) to add pregnancy as an aggravating factor for sentencing. Includes whereas clauses. Effective December 1, 2009 and applicable to offenses committed on or after that date.

Intro. by Brunstetter.

GS 14, 15A