

GENERAL ASSEMBLY OF NORTH CAROLINA
EXTRA SESSION 1994

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SENATE BILL 104

Short Title: Feticide Crime.

(Public)

Sponsors: Senator Ballance.

Referred to: Juveniles/Prevention.

February 15, 1994

1 A BILL TO BE ENTITLED

2 AN ACT TO CREATE THE CRIME OF FETICIDE.

3 The General Assembly of North Carolina enacts:

4 Section 1. Article 6 of Chapter 14 of the General Statutes is amended by
5 adding a new section to read:

6 "**§ 14-17.2. Feticide.**

7 (a) Offense. A person is guilty of feticide if, other than in the course of a lawful
8 abortion pursuant to G.S. 14-45.1, the person intentionally, knowingly, or recklessly
9 commits an act that causes the death of a viable fetus by injuring the mother or fetus and
10 the act is one that would be murder if it resulted in the death of the mother. A fetus is
11 presumed to be viable six months or more after the date of its conception.

12 (b) Punishment. Feticide is punishable as a Class E felony."

13 Sec. 2. This act becomes effective January 1, 1995, and applies to offenses
14 committed on or after that date.