

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 594

Short Title: Fetus Death From Crim. Act.

(Public)

Sponsors: Representatives Starnes; Capps, Davis, Hardy, and Morris.

Referred to: Judiciary II.

March 24, 1997

A BILL TO BE ENTITLED

1
2 AN ACT TO PROVIDE THAT IT IS A CRIMINAL OFFENSE IF A PERSON
3 COMMITS OR ATTEMPTS TO COMMIT A CRIMINAL ACT AND THE
4 CRIMINAL ACT PROXIMATELY RESULTS IN THE DEATH OF A VIABLE
5 FETUS OR A STILLBORN BIRTH.

6 The General Assembly of North Carolina enacts:

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

9 "**§ 14-18.2. Death of a viable fetus or stillborn birth as a result of a criminal act.**

10 If a person commits or attempts to commit a criminal act and as the proximate result
11 of the criminal act or attempted criminal act causes either the death of a viable fetus or a
12 stillborn birth, the person is guilty of a violation under this section punishable as follows:

13 (1) The offense is a Class F felony if the criminal act was a felony, unless
14 the criminal act was a violation of G.S. 20-141.1.

15 (2) The offense is a Class G felony if the criminal act was a violation of
16 G.S. 20-141.1(a1), felony death by vehicle.

17 (3) The offense is a Class A1 misdemeanor if the criminal act was a
18 misdemeanor."

19 Section 2. This act becomes effective December 1, 1997, and applies to
20 offenses committed on or after that date.