

SENATE BILL NO. 299—SENATORS HARDY,
HECK, LEE AND WASHINGTON

MARCH 15, 2007

JOINT SPONSOR: ASSEMBLYMAN HARDY

Referred to Committee on Judiciary

SUMMARY—Establishes provisions relating to crimes against unborn children. (BDR 15-730)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to criminal liability; establishing provisions relating to crimes against unborn children; repealing the provisions relating to the willful killing of an unborn quick child; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 This bill provides that the mother of an unborn child and the unborn child
2 constitute separate and distinct victims for purposes of prosecuting any criminal
3 offense involving violence, except in certain circumstances. This bill also
4 eliminates the crime of killing an "unborn quick child," as the provisions of this bill
5 make it unnecessary for the Nevada Revised Statutes to include a specific crime for
6 the killing of an unborn child.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 193 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 *1. Except as otherwise provided in subsection 2, a pregnant*
4 *woman and an unborn child she is carrying in the womb*



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1 *constitute separate and distinct victims for purposes of prosecuting*
2 *any criminal offense set forth in the Nevada Revised Statutes that*
3 *involves the use of violence.*

4 *2. The provisions of this section do not apply to conduct*
5 *committed against an unborn child if the conduct involves a*
6 *lawful medical procedure performed by a physician in accordance*
7 *with NRS 442.250.*

8 **Sec. 2.** NRS 200.210 is hereby repealed.

TEXT OF REPEALED SECTION

200.210 Killing of unborn quick child; penalty. A person who willfully kills an unborn quick child, by any injury committed upon the mother of the child, commits manslaughter and shall be punished for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and may be further punished by a fine of not more than \$10,000.

