

PROTECTING THE UNBORN CHILD

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: L. Steven Poulton

This act modifies provisions of the Utah Criminal Code related to Criminal Homicide. The act designates that a person may be found guilty of criminal homicide for the killing of an unborn child at any stage of its development.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

76-5-201, as last amended by Chapter 291, Laws of Utah 1995

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **76-5-201** is amended to read:

76-5-201. Criminal homicide -- Elements -- Designations of offenses.

(1) (a) A person commits criminal homicide if he intentionally, knowingly, recklessly, with criminal negligence, or acting with a mental state otherwise specified in the statute defining the offense, causes the death of another human being, including an unborn child at any stage of its development.

(b) There shall be no cause of action for criminal homicide for the death of an unborn child caused by an abortion.

(2) Criminal homicide is aggravated murder, murder, manslaughter, child abuse homicide, homicide by assault, negligent homicide, or automobile homicide.

Legislative Review Note

as of 2-5-02 3:43 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

