



SF0096

Homicide amendments.

Sponsored By: Senator(s) Hutchings, Baldwin, Biteman, Boner, Bouchard, French, Hicks, James, Kinskey, Kolb, McKeown, Nethercott, Salazar and Steinmetz and Representative(s) Andrew, Baker, Blackburn, Burt, Flitner, Fortner, Gray, Hallinan, Haroldson, Jennings, Knapp, Laursen, Neiman, Oakley, Ottman, Rodriguez-Williams, Romero-Martinez, Styvar, Wharff, Wilson and Winter

AN ACT relating to crimes and offenses; creating new offenses for first and second degree murder; providing a definition; providing penalties; and providing for an effective date.

2/8/2021 Bill Number Assigned
2/17/2021 S Received for Introduction
3/1/2021 S Introduced and Referred to S01 - Judiciary
3/4/2021 S01 - Judiciary:Recommend Do Pass 4-1-0-0-0

ROLL CALL

Ayes: Senator(s) French, Kolb, Kost, Nethercott
Nays: Senator Cooper
Ayes 4 Nays 1 Excused 0 Absent 0 Conflicts 0

3/4/2021 S Placed on General File

SF0096SW001/WITHDRAWN

3/9/2021 S COW:Passed
3/10/2021 S 2nd Reading:Passed
3/11/2021 S 3rd Reading:Passed 26-4-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Biteman, Boner, Bouchard, Cooper, Dockstader, Driskill, Ellis, French, Furphy, Hicks, Hutchings, James, Kinskey, Kolb, Kost, Landen, Mckeown, Nethercott, Pappas, Perkins, Salazar, Schuler, Steinmetz, Wasserburger
Nays: Senator(s) Case, Gierau, Rothfuss, Scott
Ayes 26 Nays 4 Excused 0 Absent 0 Conflicts 0

3/11/2021 H Received for Introduction
3/12/2021 H Introduced and Referred to H01 - Judiciary
3/19/2021 H01 - Judiciary:Recommend Amend and Do Pass 7-2-0-0-0

ROLL CALL

Ayes: Representative(s) Crago, Laursen, Oakley, Olsen, Rodriguez-Williams, Washut, Zwonitzer
Nays: Representative(s) Provenza, Yin
Ayes 7 Nays 2 Excused 0 Absent 0 Conflicts 0

3/19/2021 H Placed on General File

SF0096HS001/ADOPTED

Page 1-line 9 Delete "and"; insert ","; after "6-2-104" insert "and 6-2-109".

Page 4-after line 2 Insert:

"6-2-109. Sentencing enhancement for the homicide of a pregnant woman causing the involuntary termination of the pregnancy.

(a) Upon sentencing of a defendant who is convicted of an offense pursuant to W.S. 6-2-104, 6-2-105 or 6-2-108, if the jury has found that the victim was pregnant at the time of the commission of the offense and that the defendant knew that the victim was pregnant at the time of the commission of the offense, the court shall impose a sentence as follows:

(i) For a conviction of W.S. ~~6-2-104~~ 6-2-104(a), imprisonment in the penitentiary for any term not less than forty (40) years, or during life; or". OLSEN, CHAIRMAN

3/26/2021 H COW:Passed

SF0096H2001/ADOPTED

Page 1-line 3 Delete "definitions" and insert "a definition".

Page 1-line 7 Delete "new paragraphs" and insert "a new paragraph".

Page 1-line 8 Delete "and (xix)"; delete "(xx)" and insert "(xix)".

Page 2-lines 4 through 11 Delete entirely and insert:

"(xviii) "Unborn child" means a member of the species homo sapiens, at any state of development, who is carried in a womb;

~~(xviii)~~(xix) "This act" means title 6 of the Wyoming statutes.". ZWONITZER

SF0096H2002/ADOPTED

Page 1-line 3 Before "and" insert "providing penalties;".

Page 2-lines 15 through 20 Delete entirely and insert:

"(d) A person is guilty of murder in the first degree of an unborn child, punishable as provided for other convictions of murder in the first degree, if:

(i) The person purposely and with premeditated malice, or in the perpetration of, or attempt to perpetrate, any sexual assault, sexual abuse of a minor, arson, robbery, burglary, escape, resisting arrest, kidnapping or abuse of a child under the age of sixteen (16) years, kills or attempts to kill any human being;".

Page 3-line 3 Delete "or attempted actions".

Page 3-lines 16 through 18 Delete entirely and insert:

"(i) The person purposely and maliciously, but without premeditation, kills or attempts to kill any human being;".

Page 4-line 2 Delete "or attempted actions".

Page 4-after line 2 Delete the House standing committee amendment (SF0096HS001/A) to this line entirely and insert:

"(c) A person guilty of murder in the second degree of an unborn child shall be imprisoned in the penitentiary for any term not less than twenty (20) years, or during life.

6-2-109. Sentencing enhancement for the homicide of a pregnant woman.

(a) Upon sentencing of a defendant who is convicted of an offense pursuant to W.S. ~~6-2-104~~ 6-2-104(a), 6-2-105 or 6-2-108, if the jury has found that the victim was pregnant at the time of the commission of the offense and that the defendant knew that the victim was pregnant at the time of the commission of the offense, the court shall impose a sentence as follows:

(i) For a conviction of W.S. ~~6-2-104~~ 6-2-104(a), imprisonment in the penitentiary for any term not less than forty (40) years, or during life; or". OLSEN

3/29/2021 H 2nd Reading:Passed
3/30/2021 H 3rd Reading:Laid Back

SF0096H3001/WITHDRAWN

3/31/2021 H 3rd Reading:Passed 50-9-1-0-0

ROLL CALL

Ayes: Representative(s) Andrew, Baker, Barlow, Bear, Blackburn, Brown, Burkhart, Burt, Clausen, Crago, Duncan, Eklund, Eyre, Flitner, Fortner, Gray, Greear, Hallinan, Haroldson, Harshman, Heiner, Henderson, Hunt, Jennings, Kinner, Knapp, Larsen, L, Laursen, D, Macguire, Martinez, Neiman, Newsome, Nicholas, Oakley, Obermueller, O'hearn, Olsen, Ottman, Paxton, Sommers, Stith, Styvar, Walters, Washut, Western, Wharff, Williams, Wilson, Winter, Zwonitzer
Nays: Representative(s) Banks, Clifford, Connolly, Provenza, Roscoe, Schwartz, Sherwood, Sweeney, Yin

Excused: Representative Simpson

Ayes 50 **Nays** 9 **Excused** 1 **Absent** 0 **Conflicts** 0

4/1/2021 S Received for Concurrence
4/1/2021 S Concur:Passed 27-3-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Biteman, Boner, Bouchard, Cooper, Dockstader, Driskill, Ellis, French, Furphy, Gierau, Hicks, Hutchings, James, Kinskey, Kolb, Kost, Landen, Mckeown, Nethercott, Pappas, Salazar, Schuler, Scott, Steinmetz, Wasserburger

Nays: Senator(s) Case, Perkins, Rothfuss

Ayes 27 **Nays** 3 **Excused** 0 **Absent** 0 **Conflicts** 0

4/1/2021 Assigned Number SEA No. 0050
4/2/2021 S President Signed SEA No. 0050
4/2/2021 H Speaker Signed SEA No. 0050
4/6/2021 Governor Signed SEA No. 0050
4/6/2021 Assigned Chapter Number 116