

SF0096H2002

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

4 Page 2-lines 15 through 20 Delete entirely and insert:
5

6 "(d) A person is guilty of murder in the first degree of an
7 unborn child, punishable as provided for other convictions of
8 murder in the first degree, if:
9

10 (i) The person purposely and with premeditated malice,
11 or in the perpetration of, or attempt to perpetrate, any sexual
12 assault, sexual abuse of a minor, arson, robbery, burglary, escape,
13 resisting arrest, kidnapping or abuse of a child under the age of
14 sixteen (16) years, kills or attempts to kill any human being;".
15

16 Page 3-line 3 Delete "or attempted actions".
17

18 Page 3-lines 16 through 18 Delete entirely and insert:
19

20 "(i) The person purposely and maliciously, but without
21 premeditation, kills or attempts to kill any human being;".
22

23 Page 4-line 2 Delete "or attempted actions".
24

25 Page 4-after line 2 Delete the House standing committee
26 amendment (SF0096HS001/A) to this line
27 entirely and insert:
28

29 "(c) A person guilty of murder in the second degree of an
30 unborn child shall be imprisoned in the penitentiary for any term
31 not less than twenty (20) years, or during life.
32

33 **6-2-109. Sentencing enhancement for the homicide of a**
34 **pregnant woman.**
35

36 (a) Upon sentencing of a defendant who is convicted of an
37 offense pursuant to W.S. ~~6-2-104~~ 6-2-104(a), 6-2-105 or 6-2-108,
38 if the jury has found that the victim was pregnant at the time of
39 the commission of the offense and that the defendant knew that the
40 victim was pregnant at the time of the commission of the offense,
41 the court shall impose a sentence as follows:
42

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