

By: Representative Barnett (92nd)

To: Judiciary B

HOUSE BILL NO. 58

1 AN ACT TO PROHIBIT ASSISTING SUICIDE; TO PROVIDE PENALTIES
2 FOR VIOLATIONS OF THIS ACT; TO AMEND SECTION 97-3-49, MISSISSIPPI
3 CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR
4 RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. (1) A person who knows that an individual
7 intends to kill himself or herself and does any of the following
8 with the intent to assist the individual in killing himself or
9 herself is guilty of criminal assistance to the killing of an
10 individual, a felony punishable by imprisonment for not more than
11 five (5) years or a fine of not more than Ten Thousand Dollars
12 (\$10,000.00), or both:

13 (a) Provides the means by which the individual attempts
14 to kill himself or herself or kills himself or herself.

15 (b) Participates in an act by which the individual
16 attempts to kill himself or herself or kills himself or herself.

17 (c) Helps the individual plan to attempt to kill
18 himself or herself or to kill himself or herself.

19 (2) This section does not apply to withholding or
20 withdrawing medical treatment.

21 (3) This section does not prohibit a prosecution under the
22 common law offense of assisting in a suicide, but a person shall
23 not be convicted under both this section and that common law
24 offense for conduct arising out of the same transaction.

25 SECTION 2. Section 97-3-49, Mississippi Code of 1972, is
26 amended as follows:

27 97-3-49. Except as otherwise provided in Section 1 of this

28 act, a person who wilfully, or in any manner, advises, encourages,
29 abets, or assists another person to take, or in taking, the
30 latter's life, or in attempting to take the latter's life, is
31 guilty of felony and, on conviction, shall be punished by
32 imprisonment in the Penitentiary not exceeding ten (10) years, or
33 by fine not exceeding One Thousand Dollars (\$1,000.00), and
34 imprisonment in the county jail not exceeding one (1) year.

35 SECTION 3. This act shall take effect and be in force from
36 and after July 1, 1999.