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(35th), Smith (39th), Snowden, Stevens,
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To: Judiciary B

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 923

1 AN ACT TO AMEND SECTION 97-3-37, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT KILLING OR INJURING A FETUS SHALL BE A CRIME AND TO
3 PROVIDE PENALTIES FOR VIOLATIONS; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 97-3-37, Mississippi Code of 1972, is
6 amended as follows:[HS1]

7 97-3-37. (1) The willful killing of an unborn quick child,
8 by an injury to the mother of such child, which would be murder if
9 it resulted in the death of the mother, shall be manslaughter.

10 (2) A person who intentionally injures a pregnant woman is
11 guilty of a crime as follows:

12 (a) If the conduct results in a miscarriage or
13 stillbirth by that individual, a felony punishable by imprisonment
14 for not more than twenty (20) years or a fine of not more than
15 Seven Thousand Five Hundred Dollars (\$7,500.00), or both.

16 (b) If the conduct results in great bodily harm to the
17 embryo or fetus, a felony punishable by imprisonment for not more
18 than twenty (20) years or a fine of not more than Five Thousand
19 Dollars (\$5,000.00), or both.

20 (c) If the conduct results in serious or aggravated
21 physical injury to the embryo or fetus, a misdemeanor punishable
22 by imprisonment for not more than one (1) year or a fine of not
23 more than One Thousand Dollars (\$1,000.00), or both.

24 (d) If the conduct results in physical injury to the
25 embryo or fetus, a misdemeanor punishable by imprisonment for not
26 more than ninety (90) days or a fine of not more than Five Hundred

27 Dollars (\$500.00), or both.

28 (3) The provisions of this section shall not apply to any
29 legal medical procedure performed by a licensed physician
30 including legal abortions.

31 SECTION 2. This act shall take effect and be in force from
32 and after July 1, 2000.