

**Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 12-0417.01 Michael Dohr x4347

HOUSE BILL 12-1130

HOUSE SPONSORSHIP

Joshi, Holbert, Acree, Baumgardner, Bradford, Brown, Murray

SENATE SPONSORSHIP

Mitchell,

House Committees

Judiciary
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING OFFENSES AGAINST AN UNBORN CHILD.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill creates a new article for offenses against pregnant women and their unborn children. The new offenses are unlawful termination of a pregnancy in the first degree, unlawful termination of a pregnancy in the second degree, unlawful termination of a pregnancy in the third degree, unlawful termination of a pregnancy in the fourth degree, vehicular unlawful termination of a pregnancy, and aggravated vehicular unlawful termination of a pregnancy. The bill excludes from prosecution medical

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

HOUSE
3rd Reading Unamended
March 19, 2012

HOUSE
Amended 2nd Reading
March 16, 2012

care for which the mother provided consent.

The penalty for criminal abortion in which the woman does not die is increased from a class 4 felony to a class 3 felony.

The bill makes conforming amendments.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 18-1-506 as
3 follows:

4 **18-1-506. Construction of statutes regarding unborn members**
5 **of the species homo sapiens.** IF THE COMMISSION OF ANY CRIME CODIFIED
6 IN THIS TITLE OR TITLE 42, C.R.S., IS THE PROXIMATE CAUSE OF DEATH OR
7 INJURY TO AN UNBORN MEMBER OF THE SPECIES HOMO SAPIENS, THE
8 RESPECTIVE HOMICIDE AND ASSAULT CHARGES FOR THAT DEATH OR
9 INJURY MAY BE BROUGHT CONTEMPORANEOUSLY WITH THE UNDERLYING
10 CHARGES.

11 **SECTION 2. Potential appropriation.** Pursuant to section
12 2-2-703, Colorado Revised Statutes, any bill that results in a net increase
13 in periods of imprisonment in the state correctional facilities must include
14 an appropriation of moneys that is sufficient to cover any increased
15 capital construction and operational costs for the first five fiscal years in
16 which there is a fiscal impact. Because this act may increase periods of
17 imprisonment, this act may require a five-year appropriation.

18 **SECTION 3. Effective date - applicability.** This act takes effect
19 July 1, 2012, and applies to offenses committed on or after said date.

20 **SECTION 4. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, and safety.