

Sen. Birdsell, Dist 19
Sen. Avar, Dist 12
Sen. Giuda, Dist 2
Sen. Gannon, Dist 23
Sen. Ward, Dist 8
Sen. Gray, Dist 6
Sen. French, Dist 7
Sen. Bradley, Dist 3
Sen. Carson, Dist 14
February 16, 2017
2017-0490s
04/06

Floor Amendment to SB 66-FN

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT including a fetus in the definition of "another" for purposes of certain criminal
4 offenses.
5

6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 Homicide; Capital Murder; Definition of Another. Amend RSA 630:1, IV to read as follows:

9 IV. As used in this section [~~and RSA 630:1-a, 1-b, 2, 3 and 4~~], the meaning of "another"
10 [~~does~~] **shall** not include a [~~fetus~~] **fetus**.

11 2 New Paragraphs; First Degree Murder; Definition of Another; Exemption for Abortion.

12 Amend RSA 630:1-a by inserting after paragraph III the following new paragraphs:

13 IV. For the purposes of this section and RSA 630:1-b, RSA 630:2, RSA 630:3, and
14 RSA 630:4, the meaning of "another" shall include a fetus as defined in paragraph V.

15 V.(a) Nothing in this section or RSA 630:1-b shall apply to:

16 (1) Any act committed by the pregnant woman;

17 (2) Any act committed at the request or direction of the pregnant woman or for the
18 benefit of the pregnant woman;

19 (3) Any act performed by a physician or other medical professional in the course of
20 such physician's or medical professional's professional duties, including but not limited to, an act
21 that results in the termination of a pregnancy; or

22 (4) Any act taken in furtherance of the lawful dispensation or administration of
23 prescription or nonprescription medication.

24 (b) In this section:

25 (1) "Fetus" means an unborn offspring, from the embryo stage which is the end of
26 the twentieth week after conception or, in the case of in vitro fertilization, the end of the twentieth
27 week after implantation, until birth.

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1 (2) “Pregnant” means the female reproductive condition of having one or more
2 developing embryos or fetuses implanted in the uterus or elsewhere in the female body.

3 (3) “Pregnancy” means one or more developing embryos or fetuses implanted in the
4 uterus or elsewhere in the female body.

5 3 Effective Date. This act shall take effect January 1, 2018.

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AMENDED ANALYSIS

This bill provides that a fetus shall be included in the definition of “another” for the purposes of first and second degree murder, manslaughter, negligent homicide, and causing or aiding suicide.