

SESSION OF 2005

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2300

As Recommended by House Committee on
Federal and State Affairs

Brief*

The bill would create the Unborn Victims of Violence Act to extend coverage of the Kansas Criminal Code to unborn children.

Crimes that apply to a "person" and "human beings" as used in the criminal code also would apply to an unborn child, which means a fetus in utero at any stage of development or gestation from conception until live birth. Exempt from the crime on an unborn child would be acts committed by a mother of the unborn child, any medical procedure, including abortion, and the lawful dispensation and administration of drugs. A severability clause is included in these provisions.

Background

Representative Brunk sponsored the bill. He introduced representatives from Kansas for Life and the Concerned Women for America of Kansas who testified in support of the bill. A representative of the Kansas Catholic Conference provided written testimony in support of the bill.

Representatives of the National Organization for Women, Planned Parenthood, the Kansas Coalition Against Sexual and Domestic Violence and PROKANDO testified in opposition of the bill.

The Division of the Budget's fiscal note for the bill indicates that enactment of the bill would have no fiscal effect on the State Board of Healing Arts, but would have a fiscal effect on the courts if additional or

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

more severe criminal charges were filed in any case in which an unborn child is injured or killed.