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 DIGEST

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SB 534 Reengrossed

2018 Regular Session

Milkovich

Present law defines a "crime of violence" as an offense that has, as an element, the use, attempted use, or threatened use of physical force against the person or property of another, and that, by its very nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense or an offense that involves the possession or use of a dangerous weapon. Present law enumerates present law offenses that are "crimes of violence".

Proposed law retains present law and adds the following as "crimes of violence":

- (1) Criminal abortion.
- (2) First degree feticide.
- (3) Second degree feticide.
- (4) Third degree feticide.
- (5) Aggravated criminal abortion by dismemberment.

Proposed law prohibits coerced abortion and defines the term to mean when any person intentionally engages in the use or threatened use of physical force against the person or property of a pregnant woman, with the intent to compel the pregnant woman to undergo an abortion against her will, whether or not the abortion procedure has been attempted or completed.

Provides that the penalties for violating proposed law include a fine of not more than \$5,000, imprisonment for not more than five years, or both.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds 14:2(B)(48) - (52) and 87.6)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Delete proposed law relative to second degree murder and coerced abortion.
2. Make abortion and feticide crimes of violence.

Senate Floor Amendments to engrossed bill

1. Replaces "abortion" with "aggravated criminal abortion by dismemberment" as a crime of violence.
2. Prohibits coerced abortions and provides penalties for violation of proposed law.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the reengrossed bill:

1. Remove the phrase "attempted use" from the proposed law definition of coerced abortion.