

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

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 12-0417.01 Michael Dohr x4347

**HOUSE BILL 12-1130**

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**HOUSE SPONSORSHIP**

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

**SENATE SPONSORSHIP**

**Mitchell**,

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**House Committees**

Judiciary  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

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

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**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.*

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.

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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.