

SENATE BILL No. 398

By Committee on Public Health and Welfare

1-29

AN ACT enacting the unborn victims of violence act.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) This act shall be known and may be cited as the unborn victims of violence act.

(b) As used in this section:

(1) "Abortion" means an abortion as defined by K.S.A. 65-6701, and amendments thereto.

(2) "Conception" means the fusion of a human spermatozoon with a human ovum.

(3) "Unborn child" means a living fetus in utero at any stage of development or gestation from conception until live birth.

(c) This section shall not apply to:

(1) Any act committed by the mother of the unborn child;

(2) any medical procedure, including abortion, performed by a physician or other licensed medical professional at the request of the pregnant woman or her legal guardian; or

(3) the lawful dispensation or administration of lawfully prescribed medication.

Sec. 2. As used in the Kansas criminal code, "person" and "human being" also mean an unborn child.

Sec. 3. The provisions of this act shall be part of and supplemental to the Kansas criminal code.

Sec. 4. The provisions of this act are declared to be severable and if any provision, word, phrase or clause of the act or the application thereof to any person shall be held invalid, such invalidity shall not affect the validity of the remaining portions of this act.

Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.