

SESSION OF 2004

**SUPPLEMENTAL NOTE ON HOUSE SUBSTITUTE  
FOR SENATE BILL NO. 280**

As Amended by House Committee of the Whole

**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 an unborn child, which means a living fetus in utero at any stage of development or gestation from conception until live birth would include the following: the crime for injury or death to an unborn child in the commission of a felony would be a severity level 4 person felony. Causing injury to an unborn child in the unlawful operation of a motor vehicle while under the influence of alcohol or drugs would be a severity level 5 person felony. Causing injury or death to an unborn child by vehicle other than a violation of driving under the influence of alcohol or drugs would be a class A misdemeanor.

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.

**Background**

The House Committee of the Whole substituted new provisions into SB 280 which was a House gaming bill from the 2003 Session.

No fiscal note is available on the amended bill.

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\*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>