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Date: (Filing No. H- )

**JUDICIARY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
132ND LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1291, L.D. 1930, “An Act Regarding Acts of Violence Committed Against a Pregnant Woman”

Amend the bill in section 1 in §214 in subsection 1 by striking out all of paragraph B (page 1, lines 7 and 8 in L.D.).

Amend the bill in section 1 in §214 in subsection 1 by relettering the paragraphs to read alphabetically.

Amend the bill in section 1 in §214 by striking out all of subsection 2 (page 1, lines 10 and 11 in L.D.) and inserting the following:

‘2. For purposes of the following crimes, the term "person" or "human being," when referring to a victim of the crime, may include an unborn child if, at the time the criminal conduct was committed, the defendant knew or had reasonable cause to believe that the woman against whom the criminal conduct was committed was pregnant:

- A. Section 201, murder;
- B. Section 202, felony murder;
- C. Section 203, manslaughter;
- D. Section 207, assault, and section 207-A, domestic violence assault;
- E. Section 208, aggravated assault, and section 208-D, domestic violence aggravated assault;
- F. Section 208-A, assault while hunting; and
- G. Section 208-B, elevated aggravated assault, and section 208-E, domestic violence elevated aggravated assault.’

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment, which is the minority report of the committee, clarifies that a defendant may be charged with and convicted of murder, felony murder, manslaughter, assault, domestic violence assault, aggravated assault, domestic violence aggravated assault, assault while hunting, elevated aggravated assault and domestic violence elevated aggravated assault if the victim of the crime is an unborn child and if, at the time the conduct was committed, the defendant knew or had reasonable cause to believe that the woman against whom the defendant's criminal conduct was committed was pregnant.

**FISCAL NOTE REQUIRED**

(See attached)