

Senate Engrossed House Bill
manslaughter; suicide assistance; violation

State of Arizona
House of Representatives
Fifty-fifth Legislature
First Regular Session
2021

HOUSE BILL 2459

AN ACT

AMENDING SECTION 13-1103, ARIZONA REVISED STATUTES; RELATING TO
MANSLAUGHTER.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 13-1103, Arizona Revised Statutes, is amended to
3 read:
4 13-1103. Manslaughter; classification
5 A. A person commits manslaughter by **DOING ANY OF THE FOLLOWING:**
6 1. Recklessly causing the death of another person. ~~;~~
7 2. Committing second degree murder as prescribed in section
8 13-1104, subsection A ~~upon~~ **ON** a sudden quarrel or heat of passion
9 resulting from adequate provocation by the victim. ~~;~~
10 3. Intentionally providing the physical means that another person
11 uses to ~~commit~~ **DIE BY** suicide, with the knowledge that the person intends
12 to ~~commit~~ **DIE BY** suicide. ~~;~~
13 4. Committing second degree murder as prescribed in section
14 13-1104, subsection A, paragraph 3, while being coerced to do so by the
15 use or threatened immediate use of unlawful deadly physical force ~~upon~~
16 ~~such~~ **ON THE** person or a third person ~~which~~ **THAT** a reasonable person in his
17 situation would have been unable to resist. ~~;~~
18 5. Knowingly or recklessly causing the death of an unborn child by
19 any physical injury to the mother.
20 **B. A PERSON WHO IS AT LEAST EIGHTEEN YEARS OF AGE COMMITS**
21 **MANSLAUGHTER BY INTENTIONALLY PROVIDING ADVICE OR ENCOURAGEMENT THAT A**
22 **MINOR USES TO DIE BY SUICIDE WITH THE KNOWLEDGE THAT THE MINOR INTENDS TO**
23 **DIE BY SUICIDE.**
24 ~~B.~~ **C.** An offense under subsection A, paragraph 5 of this section
25 applies to an unborn child in the womb at any stage of its development. A
26 person shall not be prosecuted under subsection A, paragraph 5 of this
27 section if any of the following applies:
28 1. The person was performing an abortion for which the consent of
29 the pregnant woman, or a person authorized by law to act on the pregnant
30 woman's behalf, has been obtained or for which the consent was implied or
31 authorized by law.
32 2. The person was performing medical treatment on the pregnant
33 woman or the pregnant woman's unborn child.
34 3. The person was the unborn child's mother.
35 ~~C.~~ **D.** Manslaughter is a class 2 felony.
36 Sec. 2. Emergency
37 This act is an emergency measure that is necessary to preserve the
38 public peace, health or safety and is operative immediately as provided by
39 law.