



# ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

House: JUD DP 6-2-0-1

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## **HB 2043: felony murder; unborn child**

**Sponsor: Representative Bliss, LD 1**

**Caucus & COW**

### **Overview**

Expands Arizona's first degree felony murder statute to apply when the death caused, during the commission of qualifying felonies, is the death of an unborn child.

### **History**

A person commits first degree murder by: 1) causing the death of another person, including an unborn child, with premeditation; 2) committing or attempting specified felonies and, in the course of and in furtherance of the offense or its immediate flight, causing the death of any person; or 3) causing the death of a law enforcement officer in the line of duty with the knowledge that such conduct will cause that death ([A.R.S. § 13-1105](#)).

Current law expressly applies the premeditated murder provision to an unborn child at any stage of development in the womb and provides specified exceptions to prosecution under the premeditated murder provision; namely: authorized abortions, medical treatment and being the child's mother ([A.R.S. § 13-1105](#)).

First degree murder is a class 1 felony punishable by death or life imprisonment ([A.R.S. § 13-1105](#)).

### **Provisions**

1. Amends the first-degree felony murder provision to include the death of an unborn child caused during the commission of (or immediate flight from) the enumerated felonies. (Sec. 1)
2. Specifies that an offense under the felony murder provision applies to an unborn child in the womb at any stage of its development. (Sec. 1)

Prop 105 (45 votes)

Prop 108 (40 votes)

Emergency (40 votes)

Fiscal Note