

House Amendment 8401

PAG LIN

1 1 Amend House File 2558 as follows:
1 2 #1. Page 1, by inserting before line 1 the
1 3 following:
1 4 <Section 1. Section 707.1, Code 2003, is amended
1 5 to read as follows:
1 6 707.1 MURDER DEFINED.
1 7 A person who kills another person or terminates a
1 8 human pregnancy with malice aforethought either
1 9 express or implied commits murder.
1 10 Sec. 2. Section 707.2, subsections 1, 2, 3, 4, and
1 11 6, Code 2003, are amended to read as follows:
1 12 1. The person willfully, deliberately, and with
1 13 premeditation kills another person or terminates a
1 14 human pregnancy.
1 15 2. The person kills another person or terminates a
1 16 human pregnancy while participating in a forcible
1 17 felony.
1 18 3. The person kills another person or terminates a
1 19 human pregnancy while escaping or attempting to escape
1 20 from lawful custody.
1 21 4. The person intentionally kills a peace officer,
1 22 correctional officer, public employee, or hostage or
1 23 terminates a human pregnancy while the person is
1 24 imprisoned in a correctional institution under the
1 25 jurisdiction of the Iowa department of corrections, or
1 26 in a city or county jail.
1 27 6. The person kills another person or terminates a
1 28 human pregnancy while participating in an act of
1 29 terrorism as defined in section 708A.1.
1 30 Sec. 3. Section 707.4, unnumbered paragraph 1,
1 31 Code 2003, is amended to read as follows:
1 32 A person commits voluntary manslaughter when that
1 33 person causes the death of another person or the
1 34 termination of a human pregnancy, under circumstances
1 35 which would otherwise be murder, if the person causing
1 36 the death or terminating the human pregnancy acts
1 37 solely as the result of sudden, violent, and
1 38 irresistible passion resulting from serious
1 39 provocation sufficient to excite such passion in a
1 40 person and there is not an interval between the
1 41 provocation and the killing in which a person of
1 42 ordinary reason and temperament would regain control
1 43 and suppress the impulse to kill.
1 44 Sec. 4. Section 707.11, Code 2003, is amended to
1 45 read as follows:
1 46 707.11 ATTEMPT TO COMMIT MURDER.
1 47 A person commits a class "B" felony when, with the
1 48 intent to cause the death of another person or the
1 49 termination of a human pregnancy and not under
1 50 circumstances which would justify the person's
2 1 actions, the person does any act by which the person
2 2 expects to set in motion a force or chain of events
2 3 which will cause or result in the death of the other
2 4 person or the termination of a human pregnancy.
2 5 It is not a defense to an indictment for attempt to
2 6 commit murder that the acts proved could not have
2 7 caused the death of any person or the termination of a
2 8 human pregnancy, provided that the actor intended to
2 9 cause the death of some person or the termination of a
2 10 human pregnancy by so acting, and the actor's
2 11 expectations were not unreasonable in the light of the
2 12 facts known to the actor.>
2 13 #2. Page 1, by striking lines 2 through 5.
2 14 #3. Page 1, line 6, by striking the figure <2>.
2 15 #4. Title page, lines 1 and 2, by striking the
2 16 words <crimes against members of the species homo
2 17 sapiens at any stage of development> and inserting the
2 18 following: <termination of a human pregnancy>.
2 19 #5. By renumbering as necessary.
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2 23 LENSING of Johnson
2 24 HF 2558.302 80
2 25 pf/cf