

HB 1284 with HCA 1 -- ABUSE OF AN UNBORN CHILD

SPONSOR: Taylor

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Standing Committee on Public Safety and Emergency Preparedness by a vote of 9 to 3.

This bill creates the offense of abuse of an unborn child. A person commits the offense of abuse of an unborn child if the person ingests, injects, consumes, inhales, or otherwise uses a narcotic drug or a controlled substance without a prescription while the person is pregnant and the person knows or reasonably should have known that the person was pregnant. The offense of abuse of an unborn child is a class C felony if the child is born addicted to or harmed by the narcotic drug or controlled substance; or a class B felony if the child dies as a result of the conduct chargeable under these provisions.

HCA 1: Allows a judge to consider a drug treatment program in lieu of sentencing the woman to jail

PROPONENTS: Supporters say that the bill will provide a proactive approach to prevent pregnant women from abusing narcotics.

Testifying for the bill were Representative Taylor; Missouri Family Network; and Sara Hough.

OPPONENTS: Those who oppose the bill say that this bill overcriminalizes the problem instead of finding a good solution. The bill should focus on the treatment of addicted pregnant women, rather than penalizing them.

Testifying against the bill were the ACLU of Missouri and Planned Parenthood.