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life become a human being. I was going to say precisely what Senator Chambers...well, maybe not precisely, but I was going to say what Senator Chambers just said, that human development is not the same thing as human being. They're two different things. And a person is on the way to developing to become a human being, in my estimation, at that very early stage. But beyond that, I'd like to ask Senator Foley a question or two just so this Legislature has clear in its own mind what exactly we're doing here that is different from what we did last year. And, Senator Foley, in...well, I guess it wasn't last year, it was 2002.

SENATOR FOLEY: Two years ago?

SENATOR CUDABACK: Senator Foley, would you...

SENATOR SCHIMEK: Two years ago, yes.

SENATOR FOLEY: What's...

SENATOR SCHIMEK: Would you...how does this bill differ from that bill? Could you explain?

SENATOR FOLEY: Sure. Sure. Thanks, Senator Schimek, a good question. The bill that we enacted two years ago, the homicide bill, relates only to the death of the unborn child. About a dozen states, and the U.S. Congress, for that matter, went the next step in their laws to include not only death but also serious injury. So when we wrote our bill two years ago we stopped at the point of we only covered a situation where the unborn child dies. We did not answer the question, what if the unborn child survives the attack but, let's say, has brain damage? What do we do then? Well, under our law today, if a person inflicts brain damage on the child, he cannot be prosecuted for what happened to the child. Now, obviously, he could be prosecuted for the crime committed against the mother, but he could not be prosecuted for the brain damage to the child. So this bill takes us the next logical step and says, okay, fine, we've got laws that say you can't kill the unborn child and now, with this bill, you can't inflict serious bodily injury to the child.