

HB3302 CC #1 3-11  
90 Days  
Valentino 3133

Delegate Kelly, from the committee of conference on matters of disagreement between the two houses, as to

**Com. Sub. for H. B. 3302**, To recognize unborn child as distinct victim in a DUI causing death.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendment of the Senate to Committee Substitute for House Bill 3302 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses as follows:

That the Senate recede from its amendment striking everything after the enacting clause;  
And,

That both houses recede from their respective positions as to the title of the bill and agree to a new title to read as follows:

**Eng. Com. Sub. for House Bill 3302**— A Bill to amend and reenact §17C-5-2 of the Code of West Virginia, 1931, as amended, and to amend and reenact §61-2-30 of said code; all relating to including an embryo or fetus as a distinct unborn victim for certain driving under the influence of alcohol or drugs offenses; including an embryo or fetus as a distinct unborn victim for the offenses of driving under the influence of alcohol or drugs causing death and driving under the influence of alcohol or drugs causing serious bodily injury; clarifying that a pregnant woman and the embryo or fetus she is carrying in the womb constitute separate and distinct victims as applied to the offenses of driving under the influence of alcohol or drugs causing

death and driving under the influence of alcohol or drugs causing serious bodily injury; and establishing criminal penalties. *PREAMBLE: THIS LAW SHALL BE KNOWN AS LIAM'S LAW*

Respectfully submitted,

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Vince Deeds

*Chair.*

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David Kelly,

*Chair.*

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Bill Hamilton,

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Bryan Ward,

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Mike Woelfel

*Conferees on the part of the Senate.*

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Joey Garcia,

*Conferees on the part of the House of  
Delegates.*