

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: S4/9/01
A Bill

HOUSE BILL 2604

5 By: Representative C. Taylor
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8 **For An Act To Be Entitled**

9 *AN ACT TO DESIGNATE A DECEASED VIABLE FETUS, A*
10 *DECEDENT FOR PURPOSES OF THE PROBATE CODE; AND*
11 *FOR OTHER PURPOSES.*

12 **Subtitle**

13 *AN ACT TO DESIGNATE A DECEASED VIABLE*
14 *FETUS, A DECEDENT FOR PURPOSES OF THE*
15 *PROBATE CODE.*

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code Title 28, Chapter 1, Subchapter 1, is amended
21 to add a new section to read as follows:

22 28-1-118. Deceased viable fetus.

23 (a) For purposes of the Probate Code, a deceased viable fetus is
24 considered a person and decedent so that the probate division of circuit
25 court may have jurisdiction for the administration, settlement and
26 distribution of the deceased fetus' estate.

27 (b) No person shall be liable under subsection (a) of this section
28 when the death of the fetus results from a legal abortion or from the fault
29 of the pregnant woman carrying the fetus.

30 /s/ C. Taylor
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