

**WITHDRAWN**

1 Senator Tate of the 38th offered the following amendment:

2 *Amend the Senate Health and Human Services Committee substitute to SB 77 (LC 21 8827S)*  
 3 *by inserting after "the person, is" on line 16 on page 1 the following:*

4 amended by striking Code Section 16-5-2, relating to voluntary manslaughter, and inserting  
 5 in lieu thereof a new Code Section 16-5-2 to read as follows:

6 "16-5-2.

7 (a) A person commits the offense of voluntary manslaughter when he causes the death of  
 8 another human being under circumstances which would otherwise be murder and if he acts  
 9 solely as the result of a sudden, violent, and irresistible passion resulting from serious  
 10 provocation sufficient to excite such passion in a reasonable person; however, if there  
 11 should have been an interval between the provocation and the killing sufficient for the  
 12 voice of reason and humanity to be heard, of which the jury in all cases shall be the judge,  
 13 the killing shall be attributed to deliberate revenge and be punished as murder.

14 (b) A person who commits the offense of voluntary manslaughter, upon conviction thereof,  
 15 shall be punished by imprisonment for not less than one nor more than 20 years.

16 (c) A person who commits the offense of voluntary manslaughter against a female who is  
 17 pregnant at the time of the offense shall, upon conviction, be punished by imprisonment  
 18 for not less than ten nor more than 20 years.

19 (d) Nothing in this Code section shall be construed to permit the prosecution of:

20 (1) Any person for conduct relating to an abortion for which the consent of the pregnant  
 21 woman, or person authorized by law to act on her behalf, has been obtained or for which  
 22 such consent is implied by law;

23 (2) Any person for any medical treatment of the pregnant woman or her unborn child;

24 or

25 (3) Any woman with respect to her unborn child."

26 **SECTION 1A.**

27 Said chapter is further

28 *By striking lines 15 through 35 on page 2 and lines 1 through 8 on page 3 and redesignating*  
 29 *Sections 3 through 6 as Sections 2 through 5, respectively.*