64th Legislature HB0477.01

1	HOUSE BILL NO. 477
2	INTRODUCED BY G. BENNETT
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4	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING AIDING OR SOLICITING SUICIDE LAWS; PROVIDING
5	THAT PHYSICIAN-ASSISTED SUICIDE IS AGAINST PUBLIC POLICY AND IS PROHIBITED; REVISING THE
6	OFFENSE OF AIDING OR SOLICITING SUICIDE; PROVIDING A DEFINITION; AMENDING SECTION
7	45-5-105, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."
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9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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11	NEW SECTION. Section 1. Physician-assisted suicide against public policy. (1)
12	Physician-assisted suicide is against public policy for the purpose of 45-2-211 and is prohibited as provided in
13	45-5-105.
14	(2) (a) For purposes of this section, "physician-assisted suicide" means any act by a physician or a
15	person acting at the direction of a physician of purposely aiding or soliciting another person to end that person's
16	life, including prescribing a drug, compound, or substance, providing a medical procedure, or directly or indirectly
17	participating in an act with the purpose of aiding or soliciting that person's suicide.
18	(b) The term "physician-assisted suicide" does not include end-of-life palliative care in which a dying
19	person receives medication to alleviate pain that may incidentally hasten the dying person's death or any act to
20	withhold or withdraw life-sustaining treatment authorized pursuant to Title 50, chapters 9 and 10.
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22	Section 2. Section 45-5-105, MCA, is amended to read:
23	"45-5-105. Aiding or soliciting suicide. (1) A person who purposely aids or solicits another to commit
24	suicide, but such suicide does not occur, including physician-assisted suicide as defined in [section 1], commits
25	the offense of aiding or soliciting suicide.
26	(2) A person convicted of the offense of aiding or soliciting a suicide shall be imprisoned in the state
27	prison for any term not to exceed 10 years or be fined an amount not to exceed \$50,000, or both."
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29	NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an
30	integral part of Title 45, chapter 5, part 1, and the provisions of Title 45, chapter 5, part 1, apply to [section 1].
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NEW SECTION. Section 4. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

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NEW SECTION. Section 5. Effective date. [This act] is effective on passage and approval.

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8 <u>NEW SECTION.</u> **Section 6. Applicability.** [This act] applies to acts committed on or after [the effective 9 date of this act].

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