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H.594

Introduced by Representative Rachelson of Burlington

Referred to Committee on

Date:

Subject: Crimes; murder in the first degree; juveniles

Statement of purpose of bill as introduced: This bill proposes to eliminate the felony-murder rule for individuals 17 years of age and younger.

An act relating to eliminating felony-murder for juveniles

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 13 V.S.A. § 2301 is amended to read:

§ 2301. MURDER-DEGREES DEFINED

(a) ~~Murder~~ Except as provided in subsection (b) of this section, murder committed by means of poison, or by lying in wait, or by willful, deliberate, and premeditated killing, or committed in perpetrating or attempting to perpetrate arson, sexual assault, aggravated sexual assault, kidnapping, robbery, or burglary shall be murder in the first degree. All other kinds of murder shall be murder in the second degree.

(b)(1) An individual 17 years of age or younger shall have committed first degree murder if the individual:

(A) actually committed the murder; or

1 (B) with the intent to commit murder, aided, abetted, counseled,
2 commanded, induced, solicited, requested, or assisted the person who actually
3 committed the murder in the commission of the unlawful killing of another
4 human being.

5 (2) An individual who has not committed murder pursuant to this
6 subsection, but is convicted of committing or attempting to commit arson,
7 sexual assault, aggravated sexual assault, kidnapping, robbery, or burglary
8 shall be sentenced in accordance with the applicable penalties for those
9 offenses.

10 Sec. 2. EFFECTIVE DATE

11 This act shall take effect on passage.