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**AB-282 Aiding, advising, or encouraging suicide: exemption from prosecution.** (2017-2018)

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Date Published: 09/05/2018 09:00 PM

**Assembly Bill No. 282**

**CHAPTER 245**

An act to amend Section 401 of the Penal Code, relating to suicide.

[ Approved by Governor September 05, 2018. Filed with Secretary of State September 05, 2018. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 282, Jones-Sawyer. Aiding, advising, or encouraging suicide: exemption from prosecution.

Existing law, the End of Life Option Act, until January 1, 2026, authorizes an adult who meets certain qualifications and who has been determined by his or her attending physician to be suffering from a terminal disease to request a prescription for an aid-in-dying drug. The act, with some exceptions, provides immunity from civil or criminal liability for specified actions taken in compliance with the act. Actions taken in accordance with the act do not, for any purpose, constitute suicide, assisted suicide, homicide, or elder abuse under the law.

Existing law makes a person who deliberately aids, advises, or encourages another to commit suicide guilty of a felony.

This bill would prohibit a person whose actions are compliant with the End of Life Option Act from being prosecuted for deliberately aiding, advising, or encouraging suicide.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 401 of the Penal Code is amended to read:

**401.** (a) Any person who deliberately aids, advises, or encourages another to commit suicide is guilty of a felony.

(b) A person whose actions are compliant with the provisions of the End of Life Option Act (Part 1.85 (commencing with Section 443) of Division 1 of the Health and Safety Code) shall not be prosecuted under this section.