

RESTRICTIONS ON TERMINATION OF HUMAN LIFE

.010 Purpose

The city council enacts this article for the sole purpose of securing and promoting the public health, safety, and welfare of its citizenry, recognizing the "inalienable rights" enumerated in Article I, Section 1 of the California Constitution, including "enjoying and defending life and liberty," and "pursuing and obtaining safety, happiness, and privacy."

.020 Definitions

As used in this chapter only, the following words and phrases are defined as such:

- A. "Human being" shall apply to every individual member of the species *Homo sapiens* from the beginning of its biological development.
- B. "Killing" means intentionally terminating the biological processes of a living human being by use of tool(s), weapon(s), instrument(s), machine(s), chemical(s) or drug(s).
- C. "Entity" means any human being, person, business, organization, or government agency.
- D. "Consideration" means money, goods, or anything of value provided by any entity.

.030 Prohibited killings

It shall be unlawful within the City of Bakersfield for any entity to receive any form of consideration for the purpose of killing any human being.

.040 Civil action -- damages awarded

Any person aggrieved by conduct prohibited in this chapter may commence a civil action in the Courts of the State of California. In any such action, the court may award appropriate relief, including temporary, preliminary, or permanent injunctive relief and compensatory and exemplary damages and reasonable fees for attorneys and expert witnesses. With respect to damages, at any time before final judgment, plaintiff may elect to recover, in lieu of compensatory damages, an award of statutory damages in the amount of ten thousand dollars (\$10,000.00) per violation.

.050 Severability

If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The city council hereby declares that it would have passed the ordinance codified in this chapter, and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of this chapter would be subsequently declared invalid or unconstitutional.