

# 中华人民共和国刑法修正案（八）

2011年2月25日第十一届全国人民代表大会常务委员会第十九次会议通过

三十七、在刑法第二百三十四条后增加一条，作为第二百三十四条之一：  
“组织他人出卖人体器官的，处五年以下有期徒刑，并处罚金；情节严重的，处五年以上有期徒刑，并处罚金或者没收财产。”

“未经本人同意摘取其器官，或者摘取不满十八周岁的人的器官，或者强迫、欺骗他人捐献器官的，依照本法第二百三十四条、第二百三十二条的规定定罪处罚。”

“违背本人生前意愿摘取其尸体器官，或者本人生前未表示同意，违反国家规定，违背其近亲属意愿摘取其尸体器官的，依照本法第三百零二条的规定定罪处罚。”

**Article 234:** whoever intentionally inflicts bodily injury upon another person shall be sentenced to fixed-term imprisonment of not more than three years, criminal detention or public surveillance. Whoever, by committing the crime mentioned in the preceding paragraph, causes severe bodily injury to another person shall be sentenced to fixed-term imprisonment of not less than three years and not more than ten years. If he causes a person's death or causes severe bodily injury resulting in severe deformity to another person by especially cruel means, he shall be sentenced to fixed-term imprisonment of not less than ten years, life imprisonment or death. Where this Law has other provisions, such provisions shall prevail.

**Article 232:** whoever intentionally commits homicide shall be sentenced to death, life imprisonment or fixed-term imprisonment of not less than ten years; if the circumstances are relatively minor, the offender shall be sentenced to fixed-term imprisonment of not less than three years and not more than ten years.

**Article 302:** Whoever steals or insults a corpse shall be sentenced to fixed-term imprisonment of not more than three years, criminal detention or public surveillance.