

2006 SESSION

INTRODUCED

064336372

HOUSE BILL NO. 1042

Offered January 11, 2006

Prefiled January 11, 2006

A BILL to amend and reenact § 46.2-865.1 of the Code of Virginia, relating to causing the death of another while engaging in a race; penalty.

Patrons—Kilgore, Albo, Athey, Callahan, Gear, Landes, Lingamfelter, Marshall, D.W., Suit, Welch and Wright

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-865.1 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-865.1. Injuring another or causing the death of another while engaging in a race; penalties.

A. Any person who, while engaging in a race in violation of § 46.2-865 in a manner so gross, wanton and culpable as to show a reckless disregard for human life,;

~~1. causes~~ Causes serious bodily injury to another person who is not involved in the violation of § 46.2-865 is guilty of a Class 6 felony; or

2. Causes the death of another person who is not involved in the violation of § 46.2-865 is guilty of aggravated involuntary manslaughter, a felony punishable by a term of imprisonment of not less than one nor more than 20 years, one year of which shall be a mandatory minimum term of imprisonment.

B. Upon conviction, the court shall suspend the driver's license of such person for a period of not less than one year nor more than three years, the suspension of which shall commence upon the person's release from incarceration, if any, and the court shall order the surrender of the license to be disposed of in accordance with the provisions of § 46.2-398.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities and is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

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