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HOUSE BILL NO. 1042

House Amendments in [] - February 13, 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.

Patron Prior to Engrossment—Delegate Kilgore

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 and~~] 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.

ENGROSSED

HB1042E