

2012 SESSION

INTRODUCED

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HOUSE BILL NO. 962

Offered January 11, 2012

Prefiled January 11, 2012

A BILL to amend and reenact § 18.2-51.4 of the Code of Virginia, relating to penalty for DUI maiming.

Patrons—Bell, Robert B., Dudenhefer and Jones

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-51.4 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-51.4. Maiming, etc., of another resulting from driving while intoxicated.

A. Any person who, as a result of driving while intoxicated in violation of § 18.2-266 or any local ordinance substantially similar thereto in a manner so gross, wanton and culpable as to show a reckless disregard for human life, unintentionally causes the serious bodily injury of another person resulting in permanent and significant physical impairment ~~shall be~~ *is* guilty of a Class 6 felony, *punishment for which shall include a mandatory minimum term of confinement of one year*. The driver's license of any person convicted under this section shall be revoked pursuant to subsection B of § 46.2-391.

B. The provisions of Article 2 (§ 18.2-266 et seq.) of Chapter 7 of Title 18.2 shall apply, mutatis mutandis, upon arrest for a violation of this section.

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 is \$125,797 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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