

2012 SESSION

HOUSE SUBSTITUTE

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HOUSE BILL NO. 962

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on February 3, 2012)

(Patrons Prior to Substitute—Delegates Bell, Robert B. and Albo [HB 50])

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

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 three years.* 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 \$529,049 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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