

1995 SESSION

INTRODUCED

LD0222378

HOUSE BILL NO. 1336

Offered January 25, 1994

A BILL to amend and reenact § 18.2-36.1 of the Code of Virginia, relating to conduct punishable as involuntary manslaughter; license suspension.

Patrons—Nelms, Griffith, O'Brien and Wagner; Senator: Quayle

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 18.2-36.1 of the Code of Virginia is amended and reenacted as follows:

§ 18.2-36.1. Certain conduct punishable as involuntary manslaughter.

A. Any person who, as a result of driving under the influence in violation of subdivision (ii), (iii), or (iv) of § 18.2-266, unintentionally causes the death of another person, shall be guilty of involuntary manslaughter.

B. If, in addition, the conduct of the defendant was so gross, wanton and culpable as to show a reckless disregard for human life, he shall be guilty of aggravated involuntary manslaughter, a felony punishable by a term of imprisonment of not less than one nor more than twenty years.

C. The provisions of this section shall not preclude prosecution under any other homicide statute. The driver's license of any person convicted under this section ~~may~~shall be suspended for a period of ~~up to five~~three years. *Thereafter, the offender may petition the Department of Motor Vehicles for reinstatement of his driver's license. However, such license shall not be reinstated until the offender has been evaluated by a local Alcohol Safety Action Program and a written certification approving reinstatement has been provided by the director of such program, or his designee, to the Department of Motor Vehicles.* This section shall not preclude any other revocation or suspension required by law.

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