

House Bill 763

By: Representative Coan of the 82nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 15 of Chapter 6 of Title 40 of the Official Code of Georgia
2 Annotated, relating to serious traffic offenses, so as to provide criminal punishment
3 for the offense of causing death or serious bodily injury of another person by losing
4 control of a motor vehicle due to failure to take medication as prescribed; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 15 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating
9 to serious traffic offenses, is amended by adding a new Code Section 40-6-397 to read
10 as follows:

11 "40-6-397.

12 Any person who, without malice aforethought and because of failure to take
13 medication as prescribed for him or her, fails to maintain proper control of a motor
14 vehicle driven by such person and thereby causes the death of another person,
15 deprives another person of a body member, renders a member of another person's
16 body useless, seriously disfigures another person's body or a member thereof, or
17 causes organic brain damage which renders another person's body or any member
18 thereof useless shall be guilty of a felony and, upon conviction thereof, shall be
19 punished by imprisonment for not less than three years nor more than 15 years."

20 **SECTION 2.**

21 All laws and parts of laws in conflict with this Act are repealed.