

Senate Bill 354

By: Senators Carter of the 13th and Chance of the 16th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 40-6-393 of the Official Code of Georgia Annotated, relating to
2 homicide by vehicle, so as to provide another basis for first degree vehicular homicide; to
3 provide for related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Code Section 40-6-393 of the Official Code of Georgia Annotated, relating to homicide by
7 vehicle, is amended by revising subsections (a) and (b) as follows:

8 "(a) Any person who, without malice aforethought, causes the death of another person
9 through the violation of:

10 (1) Subsection ~~subsection~~ (a) of Code Section 40-6-163 ~~or~~;

11 (2) Subsection ~~subsection~~ (b) of Code Section 40-6-270 ~~or~~;

12 (3) Code Section 40-6-390 or 40-6-391 ~~or~~;

13 (4) Subsection ~~subsection~~ (a) of Code Section 40-6-395; or

14 (5) Subsection (a) of Code Section 40-6-16

15 commits the offense of homicide by vehicle in the first degree and, upon conviction
16 thereof, shall be punished by imprisonment for not less than three years nor more than 15
17 years.

18 (b) Any person who causes the death of another person, without an intention to do so, by
19 violating any provision of this title other than:

20 (1) Subsection ~~subsection~~ (a) of Code Section 40-6-163 ~~or~~;

21 (2) Subsection ~~subsection~~ (b) of Code Section 40-6-270 ~~or~~;

22 (3) Code Section 40-6-390 or 40-6-391 ~~or~~;

23 (4) Subsection ~~subsection~~ (a) of Code Section 40-6-395; or

24 (5) Subsection (a) of Code Section 40-6-16

1 commits the offense of homicide by vehicle in the second degree when such violation is
2 the cause of said death and, upon conviction thereof, shall be punished as provided in Code
3 Section 17-10-3."

4 **SECTION 2.**

5 All laws and parts of laws in conflict with this Act are repealed.