

Senate Bill 116

By: Senators Thompson of the 5th, Stone of the 23rd, Unterman of the 45th, Tate of the 38th and Jackson of the 2nd

AS PASSED SENATE

**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 increase the penalty for homicide by vehicle in the second
3 degree from a misdemeanor to a misdemeanor of a high and aggravated nature; to provide
4 for related matters; to provide for an effective date and applicability; to repeal conflicting
5 laws; and for other purposes.

6 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

7 **SECTION 1.**

8 Code Section 40-6-393 of the Official Code of Georgia Annotated, relating to homicide by
9 vehicle, is amended by revising subsection (c) as follows:

10 "(c) Any person who causes the death of another person, without an intention to do so, by
11 violating any provision of this title other than subsection (a) of Code Section 40-6-163,
12 subsection (b) of Code Section 40-6-270, Code Section 40-6-390 or 40-6-391, or
13 subsection (a) of Code Section 40-6-395 commits the offense of homicide by vehicle in the
14 second degree when such violation is the cause of ~~said~~ such death and, upon conviction
15 thereof, shall be punished as provided in Code Section ~~17-10-3~~ 17-10-4."

16 **SECTION 2.**

17 This Act shall become effective on July 1, 2013, shall apply to all offenses committed on and
18 after such date.

19 **SECTION 3.**

20 All laws and parts of laws in conflict with this Act are repealed.