

House Bill 765

By: Representatives Thomas of the 56th, Willard of the 51st, Gonzalez of the 117th, Boddie of the 62nd, Dreyer of the 59th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to
2 uniform rules of the road, so as to increase penalties for hit and run accidents that result in
3 death or serious injury; to provide a short title; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

7 This Act shall be known and may be cited as "C.J.'s Law".

8 style="text-align:center">**SECTION 2.**

9 Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to uniform rules
10 of the road, is amended in Code Section 40-6-270, relating to hit and run and duty of driver
11 to stop at or return to scene of an accident, by revising subsection (b) as follows:

12 "(b) If such accident is the proximate cause of death or a serious injury, any person
13 knowingly failing to stop and comply with the requirements of subsection (a) of this Code
14 section shall be guilty of a felony and, upon conviction thereof, shall be punished ~~by~~
15 ~~imprisonment for not less than one nor more than five years~~ in accordance with Code
16 Section 40-6-393 or 40-6-394."

17 style="text-align:center">**SECTION 3.**

18 Said chapter is further amended in Code Section 40-6-393, relating to homicide by vehicle,
19 by revising subsection (b) as follows:

20 "(b) Any driver of a motor vehicle who, without malice aforethought, causes an accident
21 which causes the death of another person and leaves the scene of the accident in violation
22 of subsection (b) of Code Section 40-6-270 commits the offense of homicide by vehicle in
23 the first degree and, upon conviction thereof, shall be punished by imprisonment for not
24 less than ~~three~~ five years nor more than 15 years."

25 **SECTION 4.**

26 Said chapter is further amended by revising Code Section 40-6-394, relating to serious injury
 27 by vehicle, as follows:

28 "40-6-394.

29 (a) Any person who, ~~Whoever,~~ without malice, ~~shall cause~~ aforethought, causes bodily
 30 harm to another ~~by depriving person which deprives~~ him or her of a member of his or
 31 her body, ~~by rendering~~ renders a member of his or her body useless, ~~by~~ seriously
 32 ~~disfiguring~~ disfigures his or her body or a member thereof, or ~~by causing~~ causes organic
 33 brain damage which renders the body or any member thereof useless through the violation
 34 of Code Section 40-6-390 or 40-6-391 ~~shall be guilty of~~ commits the crime of serious
 35 injury by vehicle. A person convicted under this ~~Code section~~ subsection shall be guilty
 36 of a felony and shall be punished by imprisonment for not less than ~~one year~~ three
 37 years nor more than 15 years.

38 (b) Any person who, without malice ~~aforethought,~~ causes bodily harm to another person
 39 which deprives him or her of a member of his or her body, renders a member of his or her
 40 body useless, seriously disfigures his or her body or a member thereof, or causes organic
 41 brain damage which renders the body or any member thereof useless through the violation
 42 of subsection (b) of Code Section 40-6-270 commits the crime of serious injury by vehicle.
 43 A person convicted under this subsection shall be guilty of a felony and shall be punished
 44 by imprisonment for not less than three years nor more than ten years."

45 **SECTION 5.**

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