

House Bill 765 (COMMITTEE SUBSTITUTE)

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

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and  
2 traffic, so as to provide for a penalty for hit and run accidents that result in serious injury; to  
3 clarify a cross-reference relating to drivers' license suspensions; to provide a definition; to  
4 provide a short title; to provide for related matters; to repeal conflicting laws; and for other  
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

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

9 **SECTION 2.**

10 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic,  
11 is amended by revising paragraph (1) of subsection (d) of Code Section 40-5-63, relating to  
12 periods of suspension and conditions to return of license, as follows:

13 "(d)(1) Any person convicted of violating subsection (a) of Code Section 40-6-393;  
14 ~~relating to homicide by vehicle, or subsection (b) of Code Section 40-6-394, relating to~~  
15 ~~serious injury by vehicle,~~ shall have his or her license suspended for a period of three  
16 years. Such person shall not be eligible for early reinstatement of said driver's license as  
17 provided in this Code section or in Article 4 of this chapter and shall not be eligible for  
18 a limited driving permit as provided in Code Section 40-5-64."

19 **SECTION 3.**

20 Said title is further amended by revising Code Section 40-6-394, relating to serious injury  
21 by vehicle, as follows:

22 "40-6-394.

23 (a) As used in this Code section, the term 'bodily harm' means an injury to another person  
24 which deprives him or her of a member of his or her body, renders a member of his or her

25 body useless, seriously disfigures his or her body or a member thereof, or causes organic  
26 brain damage which renders his or her body or any member thereof useless.

27 (b) Any person who, ~~Whoever,~~ without malice ~~aforethought,~~ shall ~~cause~~ causes an

28 accident that results in bodily harm to another by depriving him of a member of his body,

29 by rendering a member of his body useless, by seriously disfiguring his body or a member

30 thereof, or by causing organic brain damage which renders the body or any member thereof

31 useless through the violation of while violating Code Section 40-6-390 or 40-6-391 shall

32 be guilty of commits the crime of serious injury by vehicle. A person convicted under this

33 Code section of violating this subsection shall be guilty of a felony and shall be punished

34 by imprisonment for not less than one year nor more than 15 years.

35 (c) Any person who, without malice aforethought, causes an accident that results in bodily

36 harm and leaves the scene of the accident in violation of subsection (b) of Code Section

37 40-6-270 commits the crime of serious injury by vehicle. A person convicted of violating

38 this subsection shall be guilty of a felony and shall be punished by imprisonment for not

39 less than one year nor more than ten years."

40

#### SECTION 4.

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