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09600HB0073ham001

LRB096 03777 RLC 21157 a

1 AMENDMENT TO HOUSE BILL 73

2 AMENDMENT NO. _____. Amend House Bill 73 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 1961 is amended by adding
5 Section 9-3.4 as follows:

6 (720 ILCS 5/9-3.4 new)

7 Sec. 9-3.4. Negligent vehicular homicide.

8 (a) A person commits the offense of negligent vehicular
9 homicide if the person's negligent operation of a motor vehicle
10 is a proximate cause of the death of another person.

11 (b) A person acts negligently within the meaning of this
12 Section if he or she fails to be aware of a substantial and
13 unjustifiable risk of death or injury to others, and that
14 failure constitutes a substantial deviation from the standard
15 of care that a reasonable person would exercise under the
16 circumstances then prevailing.

1 (c) The finder of fact may consider statutes and ordinances
2 regulating the defendant's conduct in determining whether he or
3 she was culpably negligent under subsection (a).

4 (d) Negligent vehicular homicide is a Class A
5 misdemeanor."