

1 AMENDMENT TO HOUSE BILL 566

2 AMENDMENT NO. _____. Amend House Bill 566 as follows:
3 by replacing everything after the enacting clause with the
4 following:

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

7 (720 ILCS 5/9-3.4 new)

8 Sec. 9-3.4. Vehicular homicide.

9 (a) A person who unintentionally kills an individual or
10 an unborn child while operating or in actual physical control
11 of a motor vehicle, motorcycle, snowmobile, or watercraft
12 commits vehicular homicide if:

13 (1) the death is the proximate result of committing
14 a violation of the Illinois Vehicle Code, the Boat
15 Registration and Safety Act, the Wildlife Code, the Fish
16 and Aquatic Life Code, or the Snowmobile Registration and
17 Safety Act; or

18 (2) the motor vehicle, motorcycle, snowmobile, or
19 watercraft is operated in a careless or negligent manner.

20 (b) Sentence.

21 (1) Vehicular homicide as defined in paragraph (1)
22 of subsection (a) of this Section is a Class A

1 misdemeanor.

2 (2) Vehicular homicide as defined in paragraph (1)
3 of subsection (a) of this Section committed by a person
4 who was driving a motor vehicle or motorcycle without a
5 valid driver's license of the proper type and
6 classification or a commercial driver's license, if the
7 operation of the vehicle required a commercial driver's
8 license, or committed by a person who is found to be
9 operating a motor vehicle not covered by a liability
10 insurance policy in accordance with Section 7-601 of the
11 Illinois Vehicle Code, is a Class 4 felony.

12 (3) Vehicular homicide as defined in paragraph (1)
13 of subsection (a) of this Section committed by a person
14 who was driving a motor vehicle or motorcycle without a
15 valid driver's license of the proper type and
16 classification or a commercial driver's license, if the
17 operation of the vehicle required a commercial driver's
18 license, or committed by a person who is found to be
19 operating a motor vehicle not covered by a liability
20 insurance policy in accordance with Section 7-601 of the
21 Illinois Vehicle Code, if paragraph (2) of subsection (a)
22 was an element of the offense, is a Class 3 felony.

23 (4) A second or subsequent conviction for vehicular
24 homicide as defined in paragraph (1) of subsection (a) of
25 this Section is a Class X felony."