

Bill No. HB 1269, 1st Eng.

Amendment No. ____

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator Grant moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 On page 1, line 26, through
15 page 7, line 27, delete those lines

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17 and insert: the killing of a human being, or the killing of
18 an unborn quick child by any injury to the mother of such
19 child which would be vehicular homicide if it resulted in the
20 death of such mother,by the operation of a motor vehicle by
21 another in a reckless manner likely to cause the death of, or
22 great bodily harm to, another. Vehicular homicide is:

23 (1) A felony of the third degree, punishable as
24 provided in s. 775.082, s. 775.083, or s. 775.084.

25 (2) A felony of the second degree, punishable as
26 provided in s. 775.082, s. 775.083, or s. 775.084, if:

27 (a) At the time of the accident, the person knew, or
28 should have known, that the accident occurred; and

29 (b) The person failed to give information and render
30 aid as required by s. 316.062.

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1 This subsection does not require that the person knew that the
2 accident resulted in injury or death.

3 Section 2. For the purpose of incorporating the
4 amendment to section 782.071, Florida Statutes, in references
5 thereto, paragraph (b) of subsection (3) of section 960.03,
6 Florida Statutes, is reenacted to read:

7 960.03 Definitions.--As used in ss. 960.01-960.28,
8 unless the context otherwise requires, the term:

9 (3) "Crime" means:

10 (b) A violation of s. 316.193, s. 316.027(1), or s.
11 782.071(2), which results in physical injury or death;
12 however, no other act involving the operation of a motor
13 vehicle, boat, or aircraft which results in injury or death
14 shall constitute a crime for the purpose of this chapter
15 unless the injury or death was intentionally inflicted through
16 the use of such vehicle, boat, or aircraft or unless such
17 vehicle, boat, or aircraft is an implement of a crime to which
18 this act applies.

19 Section 3. Paragraph (g) of subsection (3) of section
20 921.0022, Florida Statutes, is amended to read:

21 921.0022 Criminal Punishment Code; offense severity
22 ranking chart.--

23 (3) OFFENSE SEVERITY RANKING CHART

Florida	Felony	Description
Statute	Degree	
316.193(3)(c)2.	3rd	(g) LEVEL 7 DUI resulting in serious bodily injury.

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1	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious
2			bodily injury.
3	409.920(2)	3rd	Medicaid provider fraud.
4	494.0018(2)	1st	Conviction of any violation of
5			ss. 494.001-494.0077 in which the
6			total money and property
7			unlawfully obtained exceeded
8			\$50,000 and there were five or
9			more victims.
10	782.07(1)	2nd	Killing of a human being by the
11			act, procurement, or culpable
12			negligence of another
13			(manslaughter).
14	782.071	3rd	Killing of human being <u>or unborn</u>
15			<u>quick child</u> by the operation of a
16			motor vehicle in a reckless
17			manner (vehicular homicide).

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

On page 1, lines 5-15, delete those lines

and insert:

an unborn quick child by any injury to the
mother which would be vehicular homicide if it
resulted in the death of the mother; providing
penalties; reenacting s. 960.03(3), F.S.,
relating to the definition of "crime" with
respect to the Florida Crimes Compensation Act
to incorporate the amendment in a reference;