



120498

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: FAV	.	
4/1/2008	.	
	.	
	.	

1 The Committee on Transportation (Constantine) recommended the  
 2 following **amendment**:

3  
 4 **Senate Amendment (with title amendment)**

5 Delete lines 218-237

6 and insert:

7 or unborn quick child commits the crime of manslaughter resulting  
 8 from the operation of a motor vehicle. In any conviction under  
 9 this paragraph, the court may not withhold adjudication of guilt  
 10 and shall permanently revoke the driver license of a person so  
 11 convicted. A hearing may be requested pursuant to s. 322.271. A  
 12 person so convicted commits:

13 1. A felony of the second degree, punishable as provided in  
 14 s. 775.082, s. 775.083, or s. 775.084, and shall pay a fine of  
 15 not less than \$5,000; or



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16 2. A felony of the first degree, punishable as provided in  
17 s. 775.082, s. 775.083, or s. 775.084, and shall pay a fine of  
18 not less than \$5,000, if:

19 a. At the time of the crash, the person knew, or should  
20 have known, that the crash occurred; and

21 b. The person failed to give information and render aid as  
22 required by s. 316.062.

23  
24 For purposes of this paragraph, the definition of the term  
25 "unborn quick child" shall be determined in accordance with the  
26 definition of viable fetus as set forth in s. 782.071. A person  
27 who is convicted of manslaughter resulting from the operation of  
28 a motor vehicle shall be sentenced to a

29  
30 ===== T I T L E A M E N D M E N T =====

31 And the title is amended as follows:

32 Delete lines 23-24

33 and insert:

34 human being or unborn quick child is the crime of  
35 manslaughter resulting from the operation of a motor  
36 vehicle; providing penalties; providing for a