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FISCAL IMPACT REPORT



SPONSOR: Thompson DATE TYPED: 02/07/02 HB 500

SHORT TITLE: Penalty for Homicide by Motor Vehicle SB _____

ANALYST: Gilbert

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
			\$ 0.1 * See Narrative	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Response Received

Administrative Office of the Courts (AOC)

Attorney General's Office (AGO)

SUMMARY

Synopsis of Bill

House Bill 500 increases the penalty from third-degree to second-degree felony for (1) committing vehicular homicide or great bodily injury while driving intoxicated and for (2) committing vehicular homicide or great bodily injury while evading an officer. This bill also includes clarification language pertaining to sentencing of multiple DWI offenders convicted of vehicular homicide.

Significant Issues

The penalty for homicide by vehicle resulting in the death of a human being would be raised to a basic sentence of fifteen years as a second-degree felony. The penalty for great bodily injury by vehicle would be raised to a basic sentence of nine years as a second-degree felony.

FISCAL IMPLICATIONS

Longer sentencing periods could increase the incarcerated population, thus negatively impact the general fund. However, increased penalties could act as a deterrent, thus reducing said population.

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According to the Administrative Office of the Courts (AOC), the fiscal implications on the judiciary will parallel the level of litigation generated or, alternatively, avoided by this change in sentencing.

TECHNICAL ISSUES

To reduce possible ambiguity, the Attorney General's Office (AGO) recommends that on line 4, page 2 of this bill that language be inserted that specifies "*second degree felony resulting in the death of a human being.*"

RLG/njw