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## FISCAL IMPACT REPORT



SPONSOR: Cravens DATE TYPED: 01/24/02 HB \_\_\_\_\_

SHORT TITLE: Homicide by Vehicle Penalties SB 134

ANALYST: Wilson

### APPROPRIATION

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

### SOURCES OF INFORMATION

State Highway and Transportation Department (SHTD)  
Administrative Office of the Courts (AOC)  
Administrative Office of the District Attorneys (ADA)

### SUMMARY

#### Synopsis of Bill

SB 134 changes a conviction from a third degree felony to a second degree felony for any person who commits homicide by vehicle or great bodily injury while under the influence of intoxicating liquor or while under the influence of any drug or while driving recklessly.

#### Significant Issues

The basic sentence for a non-capital third degree felony is three years imprisonment or six years imprisonment if resulting in the death of a human being. SB 134 increases the basic sentence for a second-degree felony to nine years imprisonment or fifteen years imprisonment if resulting in the death of a human being

### FISCAL IMPLICATIONS

The AOC notes that increased penalties could have the potential to increase jury trials, thus requiring more resources to handle these cases. Further, any additional fiscal impact on the Judiciary

would be proportional to the enforcement of this law and commenced prosecutions. New laws, amendments to existing laws, and new hearings have the potential to increase caseloads in the courts, thus requiring additional resources to handle the increase.

The ADA notes that a second degree felony carries a basic fine of \$10,000 whereas a third degree felony is a \$5,000 fine. Assuming the same number of convictions for vehicular homicide in any given year, SB 134 would bring in additional revenue for the state.

#### **ADMINISTRATIVE IMPLICATIONS**

There will be a minimal administrative cost for statewide update, distribution, and documentation of statutory changes for the courts.

DW/ar