
Judiciary Committee

HB 2621

Title: An act relating to requiring certain sentences for vehicular homicide and vehicular assault to run consecutively.

Brief Description: Requiring certain sentences for vehicular homicide and vehicular assault to run consecutively.

Sponsors: Representatives Hurst, Lantz and Simpson.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Requires, under certain circumstances, sentences for multiple convictions for Vehicular Assault and Vehicular Homicide to be served consecutively.
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Hearing Date: 1/30/08

Staff: Jim Morishima (786-7191).

Background:

A person is guilty of Vehicular Assault if he or she drives any vehicle and causes substantial bodily harm to another while: (a) under the influence of intoxicating liquor or drug, (b) driving recklessly, or (c) driving with disregard for the safety of others. Vehicular Assault by intoxicating liquor or drug or by driving recklessly is a class B felony with a seriousness level of IV (3-9 months in jail for a first offense). Vehicular Assault by driving with disregard for the safety of others is a class B felony with a seriousness level of III (1-3 months in jail for a first offense).

A person is guilty of Vehicular Homicide if he or she proximately causes, within three years, the death of another by driving any vehicle: (a) under the influence of intoxicating liquor or drug, (b) in a reckless manner, or (c) with disregard for the safety of others. Vehicular Homicide by intoxicating liquor or drug is a class A felony with a seriousness level of IX (31-41 months in prison for a first offense). Vehicular Homicide by driving recklessly is a class A felony with a seriousness level of VIII (21-27 months in prison for a first offense). Vehicular Homicide by driving with disregard for the safety of others is a class A felony with a seriousness level of VII (15-20 months in prison).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

When a court sentences an offender for multiple offenses, the sentences for the offenses generally run concurrently (simultaneously). The sentences may, however, run consecutively (one after the other) under certain circumstances. For example, a court may impose consecutive sentences if certain aggravating circumstances are found to exist. Also, a court must impose consecutive sentences for serious violent offenses and firearms-related offenses under certain circumstances.

Summary of Bill:

A court must impose consecutive sentences for one or more convictions for Vehicular Assault by intoxicating liquor or drug, Vehicular Homicide by intoxicating liquor or drug, or a combination of the two offenses, arising from the same criminal conduct.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.