

2003 SENATE BILL 181

May 28, 2003 – Introduced by Senators S. FITZGERALD, DARLING, ERPENBACH, ROESSLER and KANAVAS, cosponsored by Representatives HINES, FRISKE, ZEPNICK, MCCORMICK, KREIBICH, AINSWORTH, OTT, WASSERMAN, SERATTI, GRONEMUS, HUNDERTMARK, TOWNSEND, HAHN, NASS, BIES, J. FITZGERALD, TURNER, VAN ROY, PETTIS, SUDER, OWENS and VRAKAS. Referred to Committee on Judiciary, Corrections and Privacy.

- 1 **AN ACT to amend** 346.74 (5) (c) and 346.74 (5) (d) of the statutes; **relating to:**
 2 leaving the scene of an accident and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, the operator of a vehicle involved in an accident resulting in injury to or death of any person or in damage to a vehicle must remain at the scene of the accident to give or summon aid to a person who is injured and to give his or her identifying information to the other person involved in the accident. Penalties for failure to remain at the scene of an accident vary, depending on whether a person was injured in the accident and the severity of injuries.

Currently, a person who fails to remain at the scene of an accident resulting in great bodily harm to any person is guilty of a Class I felony and may be fined no more than \$10,000, imprisoned for no more than three years and six months, or both. A person who fails to remain at the scene of an accident resulting in the death of any person is guilty of a Class H felony and may be fined no more than \$10,000, imprisoned for no more than six years, or both.

Under this bill, a person who fails to remain at the scene of an accident resulting in great bodily harm to any person is guilty of a Class E felony and may be fined no more than \$50,000, imprisoned for no more than 15 years, or both. A person who fails to remain at the scene of an accident resulting in the death of any person is guilty of a Class D felony and may be fined no more than \$100,000, imprisoned for no more than 25 years, or both.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a

