

2022 SESSION

INTRODUCED

22104189D

SENATE BILL NO. 665

Offered January 19, 2022

A *BILL to amend and reenact § 46.2-868 of the Code of Virginia, relating to reckless driving; involuntary manslaughter.*

Patron—Petersen

Referred to Committee on the Judiciary

Be it enacted by the General Assembly of Virginia:

1. That § 46.2-868 of the Code of Virginia is amended and reenacted as follows:

§ 46.2-868. Reckless driving; penalties.

A. Every person convicted of reckless driving under the provisions of this article is guilty of a Class 1 misdemeanor.

B. Every person convicted of reckless driving under the provisions of this article who, when he committed the offense, ~~(i) was driving without a valid operator's license due to a suspension or revocation for a moving violation and, (ii) caused the death of another~~ as the sole and proximate result of his reckless driving, ~~caused the death of another~~, is guilty of a ~~Class 6 felony~~ *involuntary manslaughter*.

C. The punishment for every person convicted of reckless driving under the provisions of this article who, when he committed the offense, was in violation of § 46.2-818.2 shall include a mandatory minimum fine of \$250.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 552 of the Acts of Assembly of 2021, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

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SB665