

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>    </u>	

1 Committee/Subcommittee hearing bill: Criminal Justice  
 2 Subcommittee  
 3 Representative Slosberg offered the following:

**Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 782.071, Florida Statutes, is amended  
 8 to read:

9 782.071 Vehicular homicide.—

10 (1) "Vehicular homicide" is the killing of a human being,  
 11 or the killing of an unborn child by any injury to the mother,  
 12 caused by the operation of a motor vehicle by another;

13 (a) In a reckless manner likely to cause the death of, or  
 14 great bodily harm to, another; or

15 (b) While using a wireless communications device in  
 16 violation of s. 316.305.

17 (2)~~(1)~~ Vehicular homicide is:

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18 (a) A felony of the second degree, punishable as provided  
19 in s. 775.082, s. 775.083, or s. 775.084.

20 (b) A felony of the first degree, punishable as provided  
21 in s. 775.082, s. 775.083, or s. 775.084, if:

22 1. At the time of the accident, the person knew, or should  
23 have known, that the accident occurred; and

24 2. The person failed to give information and render aid as  
25 required by s. 316.062.

26  
27 This paragraph does not require that the person knew that the  
28 accident resulted in injury or death.

29 ~~(3)~~<sup>(2)</sup> For purposes of this section, the term "unborn  
30 child" has the same meaning as provided in s. 775.021(5).

31 ~~(4)~~<sup>(3)</sup> A right of action for civil damages shall exist  
32 under s. 768.19, under all circumstances, for all deaths  
33 described in this section.

34 ~~(5)~~<sup>(4)</sup> In addition to any other punishment, the court may  
35 order the person to serve 120 community service hours in a  
36 trauma center or hospital that regularly receives victims of  
37 vehicle accidents, under the supervision of a registered nurse,  
38 an emergency room physician, or an emergency medical technician  
39 pursuant to a voluntary community service program operated by  
40 the trauma center or hospital.

41 Section 2. This act shall take effect October 1, 2015.  
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**T I T L E   A M E N D M E N T**

Remove everything before the enacting clause and insert:  
An act relating to the use of a wireless communications device while operating a motor vehicle; amending s. 782.071, F.S.; providing vehicular manslaughter includes causing the death of a human being or unborn child while operating a motor vehicle and using a wireless communications device; providing an effective date.